



The Journal OF THE *House of Representatives*

Number 25

Wednesday, May 3, 2006

The House was called to order by the Speaker at 9:00 a.m.

Prayer

The following prayer was offered by Dr. Gary Durham of New Hope Fellowship in Palm City, upon invitation of Rep. Negron:

Gracious Father of Truth, Almighty God in whom is light and no darkness at all, we pause to give You thanks for Your favor and blessings so graciously and abundantly bestowed on us who live in this good land. We humbly seek from You that disposition of heart and purpose which will enable us to prove ourselves a people mindful of Your favor and glad to do Your will.

Almighty Father, preserve us in that sanity that confesses the objectivity of truth, humbling ourselves to the fact that truth bows to no man or woman, to no circumstance or philosophy; for, ultimately, we know it bows and kneels only at Your throne. If some are ambitious to cast truth down, grant us a gracious tenacity and a resolute honor that will openly defend the truth they slander or ignore, for all dishonored truth rises again to shame those who abandoned it.

Save us from forgetting that the work of moral government is to humble ourselves to Your rule. Continue to grant to the men and women who serve in the House of Representatives the wisdom to reconcile human desires and passions with divine law. Grant us grace to embrace the difficult virtue of humility by teaching us that this virtue is the choice to openly declare our dependence upon You and our proper interdependence with one another. Above all else, pour upon us and through us Your divine love, which is the greatest truth, for this alone can infuse our words and actions with eternally noble purpose and meaning and save us from that futility which You called a mere resounding gong and clanging cymbal.

As we, this day, tend to the legacy of freedom passed on to us by the faithful who have gone before us, let us not fail to thank You for the spilled blood of thousands, which has purchased and created and preserved for us this oasis of dignity we call our nation. In the midst of the ancient cosmic battle against evil, which continues to fill the pages of our human history, give us their resolve.

As You have taught us that obeying and knowing the truth is the only source and guardian of freedom, help us propagate this legacy of freedom by Your truth so our children will inherit not only freedom's benefits, but also the realistic knowledge and motives that preserve it. Protect the defenders of our freedom today wherever they serve on our behalf; grant them success against our enemies. Pour blessing and strength on our nation's President, the Honorable George W. Bush; our State Governor, the Honorable Jeb Bush; and upon all the honorable men and women who serve our state in this House.

We endorse, still, the prayer prayed for the nation by our third President, Thomas Jefferson, on March 4, 1801:

Bless our nation with honorable ministry, sound learning, and pure manners. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people, the multitude brought hither out of many kindreds and tongues. Endow with Thy spirit of wisdom those whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In time of prosperity, fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail; all of which we ask through Jesus Christ our Lord.

May this petition eternally cascade down through the life of this, Your people, called the United States of America. In the name of Him who was and is and always will be the incarnation of truth we offer our prayer. Amen.

The following members were recorded present:

Session Vote Sequence: 1073

Speaker Bense in the Chair.

Adams	Coley	Harrell	Murzin
Altman	Cretul	Hasner	Needelman
Ambler	Culp	Hays	Negron
Anderson	Cusack	Henriquez	Patterson
Antone	Davis, D.	Holloway	Peterman
Arza	Davis, M.	Homan	Pickens
Attikisson	Dean	Hukill	Planas
Ausley	Detert	Jennings	Poppell
Barreiro	Domino	Johnson	Porth
Baxley	Evers	Jordan	Proctor
Bean	Farkas	Joyner	Quinones
Bendross-Mindingall	Fields	Justice	Reagan
Bense	Flores	Kendrick	Rice
Benson	Galvano	Kottkamp	Richardson
Berfield	Gannon	Kravitz	Rivera
Bilirakis	Garcia	Kreegel	Robaina
Bogdanoff	Gardiner	Kyle	Roberson
Bowen	Gelber	Legg	Ross
Brandenburg	Gibson, A.	Littlefield	Rubio
Brown	Gibson, H.	Llorente	Russell
Brummer	Glorioso	Lopez-Cantera	Ryan
Brutus	Goldstein	Machek	Sands
Bucher	Goodlette	Mahon	Sansom
Bullard	Gottlieb	Mayfield	Seiler
Cannon	Grant	McInvale	Simmons
Carroll	Greenstein	Meadows	Slosberg
Clarke	Grimsley	Mealor	Smith

Sobel
Sorensen
Stansel

Stargel
Taylor
Traviesa

Troutman
Vana
Waters

Williams
Zapata

CS/CS/SB 170 - Children and Families, Health Care, & others
Administration of Medication

CS/SB 202 - Judiciary, Aronberg, & others
Consumer Protection

CS/CS/SB 262 - Judiciary, Governmental Oversight and Productivity,
& others
Administrative Procedures

SB 372 - Peaden, Fasano
Hearing Aid Specialists

CS/SB 388 - Health Care, Argenziano
Assisted Care Communities

CS/SB 466 - Regulated Industries, Constantine
Regulation of Real Estate Appraisers

CS/SB 640 - Judiciary, Miller, & others
Luring or Enticing Child

CS/SB 646 - Judiciary, Campbell
Sexual & Career Offenders

SB 676 - Bullard
Designations

SB 694 - Crist, Fasano, & others
Secondhand Dealers

CS/CS/SB 786 - Judiciary, Commerce and Consumer Services, & others
State Minimum Wage/Notification

CS/SB 876 - Environmental Preservation, Smith
William W. 'Bill' Hinkley Center/DEP

SB 1076 - Smith
DUI Classes

CS/SB 1112 - Governmental Oversight and Productivity, Community
Affairs, & others
Development Permits/Denial

SB 1198 - Atwater
Corporate Income Tax

CS/SB 1256 - Banking and Insurance, Saunders, & others
Continuing Care Provider/Debt

CS/SB 1278 - Governmental Oversight and Productivity, Wise
Youth/Young Adults with Disabilities

CS/SB 1290 - Community Affairs, Fasano, & others
Concealed Weapons/License Renewal

SB 1386 - Criminal Justice, Crist, & others
Youthful Offenders

CS/SB 1438 - Governmental Oversight and Productivity, Argenziano
Custodial Requirements/Pub. Rec.

CS/CS/SB 1510 - Community Affairs, Children and Families, & others
Child Care Facilities

CS/SB 1670 - Governmental Oversight and Productivity, Garcia
State Financial Matters

CS/CS/SB 1678 - Governmental Oversight and Productivity,
Government Efficiency Appropriations, & others
Governmental Operations/Agency Fees

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Josh Kaplan of Tallahassee at the invitation of the Speaker; Kaitlyn Lauren McCoy of Winter Park at the invitation of Rep. Berfield; Brandon S. Murphy of Palm Harbor at the invitation of the Speaker; and Becca Negron of Stuart at the invitation of her father, Rep. Negron.

House Physician

The Speaker introduced Dr. James O. Brookins of Tampa, who served in the Clinic today upon invitation of Rep. Joyner.

Correction of the *Journal*

The *Journal* of April 26 was corrected and approved as follows: On page 648, column 2, line 20 from the top, delete "HB" and insert "HJR" in lieu thereof

The *Journal* of April 28 was further corrected as follows: On page 910, column 2, line 1 from the bottom, after the word "stated" insert "that he agreed with Rep. Brummer that Amendment 3 was unrelated to the pending question and recommended that the point be well taken."

The *Journal* of May 2 was corrected and approved as corrected.

Reports of Councils and Standing Committees

Reports of the Rules & Calendar Council

The Honorable Allan G. Bense
Speaker, House of Representatives

May 2, 2006

Dear Mr. Speaker:

Your Rules & Calendar Council herewith submits the Special Order for Wednesday, May 03, 2006. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

CS/SB 1190 - Community Affairs, Atwater
Hospital/Sale or Lease

CS/CS/CS/SB 2114 - Judiciary, Health Care, & others
Motor Vehicle Insurance

HB 7263 CS - Insurance Committee, Ross, & others
Motor Vehicle Insurance

CS/SB 508 - Justice Appropriations, Aronberg, & others
Sexual Predators/Residency

II. Consent Calendar. Consideration of the following bill(s):

CS/SB 1690 - Health Care, Saunders
Physician Assistants/Discipline

CS/SB 1748 - Judiciary, Wise
Juvenile Justice

SB 1850 - Rich, Lynn
CFS Department Programs

CS/SB 1922 - Health Care, Peaden
State Long-Term Care Ombudsman Prog.

CS/SB 1956 - Banking and Insurance, Aronberg
Florida Land Trust Act

CS/CS/SB 1958 - Community Affairs, Environmental Preservation,
& others
Airboats

CS/SB 2034 - Education Appropriations, Baker
Education/Spouses/Disabled Veterans

CS/CS/SB 2184 - Children and Families, Judiciary, & others
Parental Relocation with a Child

CS/SB 2432 - Health Care, Constantine
John F. Cosgrove Act/Travel/Medical

SB 2340 - Crist
Administrative Trust Fund/DOC

SB 2342 - Crist
Federal Grants Trust Fund/DOC

SB 2344 - Crist
Administrative Trust Fund/FDLE

SB 2346 - Crist
Federal Grants Trust Fund/FDLE

CS/SB 2348 - Justice Appropriations, Crist
Operating TF/State Courts System

SB 2350 - Crist
Federal Grants TF/State Court System

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
J. Dudley Goodlette, Chair
Rules & Calendar Council

On motion by Rep. Goodlette, the above report was adopted.

The Honorable Allan G. Bense
Speaker, House of Representatives

May 2, 2006

Dear Mr. Speaker:

Re: Consent Calendar Procedure for May 3, 2006

Pursuant to Rule 10.13, The Rules & Calendar Council hereby submits the following Consent Calendar procedure to govern bills placed in the Consent Calendar section of the Special Order Calendar for May 3, 2006. Because the bills will be read twice on the same day, adoption of this procedure requires a two-thirds vote. For purposes of this procedure, "Consent Calendar" means the Consent Calendar section of the Special Order Calendar for May 3, 2006.

Pursuant to Rule 10.17 no House Bills on Second Reading may be taken up and considered after Day 55. Nevertheless, a Senate companion measure may be substituted for and taken in lieu of its House companion at any time prior to Day 59. For this reason, Senate Bills listed in the Consent Calendar shall be paired with their House companion measures that are on the House Second Reading Calendar, but only the Senate Bills will be read under the Procedure below.

Pursuant to Rule 5.14, at the moment the House substitutes the Senate companion bill or takes up a Senate bill in lieu of a House bill, the House bill so replaced shall be automatically tabled.

Procedure:

- Any member may object to a bill on the Consent Calendar by filing a written objection with the Rules & Calendar Council by 12:00 noon, Wednesday, May 3, 2006, or by a show of five hands during the reading of the bill.
- Any bill to which an objection has been filed will be considered separately at the end of the Special Order Calendar.
- Each bill will be read a second time by title. If a House Bill is paired, the Speaker will announce, "Show the Senate Bill substituted and considered in lieu of the House Bill".
- If there are no amendments, the bill will be read a third time by title prior to the sponsor being recognized for an explanation.
- If there are amendments, the amendments will be explained and considered. At the conclusion of all amendments, the bill will be read a third time by title.
- Bills that take over three minutes after second reading for the amendatory process, explanation, third reading and debate will be considered separately at the end of the Special Order Calendar.
- After third reading and any further explanation, debate will be limited to whatever remains of the three minutes following second reading. At the end of the three minutes, the Speaker will order the vote.
- Adoption of this procedure will constitute consent on the part of the House to:
 - The substitution of any Senate Bill and its consideration in lieu of its House companion paired on the Consent Calendar,
 - A blanket motion to waive the Rules and read each bill a second and third time by title on the same day, followed by a vote on final passage,
 - Limiting explanation, any amendments, third reading and debate to three minutes per bill after it has been read a second time by title.

Respectfully submitted,
J. Dudley Goodlette, Chair
Rules & Calendar Council

On motion by Rep. Goodlette, the above report was adopted.

Motion

On motion by Rep. Goodlette, the rules were waived and HR 1637 was admitted for introduction to the House.

Bills and Joint Resolutions on Third Reading

HB 1171 was taken up. On motion by Rep. Rivera, SB 2434 was substituted for HB 1171. Under Rule 5.14, the House bill was laid on the table.

SB 2434—A bill to be entitled An act relating to travel to terrorist states; amending s. 1011.81, F.S.; prohibiting the use of funds from the Community College Program Fund, or funds made available to community colleges from outside the fund, to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; defining "terrorist state"; amending s. 1011.90, F.S.; prohibiting the use of state or nonstate funds made available to state universities to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; defining "terrorist state"; amending s. 112.061, F.S.; providing that travel expenses of public officers or employees for the purpose of implementing, organizing, directing, coordinating, or administering activities related to, or involving, travel to a terrorist state shall not be allowed under any circumstances; defining "terrorist state"; prohibiting a private college or university in this state from using state funds for activities relating to, or involving, a terrorist state; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1074

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brunner	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 817 was taken up. On motion by Rep. Murzin, CS for CS for SB 142 was substituted for HB 817. Under Rule 5.14, the House bill was laid on the table.

CS for CS for SB 142—A bill to be entitled An act relating to communications; amending s. 364.051, F.S., relating to price regulation; allowing a telecommunications company to publicly publish price lists for nonbasic services; providing guidelines for such publication; allowing 1 day's notice for price changes to nonbasic services; deleting a company's option to elect that its basic services be treated as nonbasic services; requiring a company to request that the Public Service Commission lessen its service quality regulation; providing criteria for granting a petition to change

regulatory treatment of retail services; amending s. 364.025, F.S.; providing definitions; providing that a local exchange telecommunications company obligated to serve as the carrier of last resort is not obligated to provide basic local telecommunications service to customers in a multitenant business or residential property under certain circumstances; requiring the local exchange telecommunications company to notify the Public Service Commission when it is relieved of the obligation to provide service; providing for the local exchange telecommunications company to request a waiver of its carrier of last resort obligation from the commission; providing for carrier of last resort obligation to apply when specified conditions cease to exist; providing for effect of the act on the commission's jurisdiction; amending s. 350.0611, F.S.; providing additional authority to the Public Counsel, including the authority to provide legal representation to, and to appear on behalf of, the state and its political subdivisions as consumers of communications services and utility services, to receive, investigate, and take legal action upon complaints involving communications services not within the jurisdiction of the Public Service Commission, to appear before state and federal agencies to enhance terms and conditions of utility and communications services, and to analyze and report on pending legislation relevant to utility and communications services; providing appropriations; providing an effective date.

—was read the second time by title. On motion by Rep. Murzin, the rules were waived and the bill was read the third time by title.

REPRESENTATIVE RUSSELL IN THE CHAIR

Representative(s) Murzin offered the following:

(Amendment Bar Code: 237919)

Amendment 1 (with title amendment)—On page 9, line 16 through page 12, line 14,
remove: all of said lines.

===== T I T L E A M E N D M E N T =====

On page 2, line(s) 2-17,
remove: all of said lines

and insert: providing an effective date.

Rep. Murzin moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS for CS for SB 142. The vote was:

Session Vote Sequence: 1075

Representative Russell in the Chair.

Yeas—118

Adams	Bogdanoff	Dean	Gottlieb
Allen	Bowen	Detert	Grant
Altman	Brandenburg	Domino	Greenstein
Ambler	Brown	Evers	Grimsley
Anderson	Brunner	Farkas	Harrell
Antone	Brutus	Fields	Hasner
Arza	Bucher	Flores	Hays
Attkisson	Bullard	Galvano	Henriquez
Ausley	Cannon	Gannon	Holloway
Barreiro	Carroll	Garcia	Homan
Baxley	Clarke	Gardiner	Hukill
Bean	Coley	Gelber	Jennings
Bendross-Mindingall	Cretul	Gibson, A.	Johnson
Bense	Culp	Gibson, H.	Jordan
Benson	Cusack	Glorioso	Joyner
Berfield	Davis, D.	Goldstein	Justice
Bilirakis	Davis, M.	Goodlette	Kendrick

Kottkamp	Murzin	Richardson	Sobel
Kravitz	Needelman	Rivera	Sorensen
Kyle	Negron	Robaina	Stansel
Legg	Patterson	Ross	Stargel
Littlefield	Peterman	Rubio	Taylor
Llorente	Pickens	Russell	Traviesa
Lopez-Cantera	Planas	Ryan	Troutman
Machek	Poppell	Sands	Vana
Mahon	Porth	Sansom	Waters
Mayfield	Proctor	Seiler	Williams
McInvale	Quinones	Simmons	Zapata
Meadows	Reagan	Slosberg	
Mealor	Rice	Smith	

Nays—None

Votes after roll call:

Yeas—Kreegel, Roberson

So the bill passed, as amended, and was immediately certified to the Senate.

HB 431 was taken up. On motion by Rep. Littlefield, CS for CS for SB 980 was substituted for HB 431. Under Rule 5.14, the House bill was laid on the table.

CS for CS for SB 980—A bill to be entitled An act relating to electric transmission and distribution; creating s. 163.3208, F.S.; providing legislative intent; defining the term "distribution electric substation"; providing criteria for adoption and enforcement by a local government of land development regulations for new electric substations; providing that new substations are a permitted use in all land use categories and zoning districts within a utility's service territory; providing for exceptions; providing standards which apply if a local government does not adopt reasonable standards for substation siting; providing for approval of an application for development of a proposed distribution electric substation when the application demonstrates that the design is consistent with the local government's applicable standards; providing alternative procedures for site approval; providing for application of certain local siting standards to applications received after public notice of the adoption hearing on those standards; providing a timeframe and procedures for a local government to approve or deny an application for an electric substation; providing that the application is deemed approved if not acted on within the timeframe; providing for waiver of timeframes; authorizing the local government to establish timeframes for certain required information to be furnished; creating s. 163.3209, F.S.; prohibiting local governments from requiring any permits or approvals for certain vegetation maintenance in an established electric transmission or distribution line right-of-way; defining the term "vegetation maintenance and tree pruning or trimming"; providing for a utility to give notice to the local government before conducting such vegetation-maintenance activities; providing for exceptions; requiring the utility to provide its vegetation-maintenance plan to the local government and discuss it with the local government; specifying standards for vegetation maintenance and tree pruning or trimming conducted by utilities; providing for supervision of vegetation maintenance and tree pruning or trimming activities; limiting the height and clearance distance of vegetation that may be required by a local government in an established right-of-way of certain lines; providing for application and construction with respect to local franchise authority and ordinances or regulations governing planting, pruning, trimming, or removal of certain trees; providing for application when a local government adopts a described plan for vegetation maintenance, tree pruning, tree removal, and tree trimming within established rights-of-way; providing that vegetation maintenance costs be considered recoverable; creating s. 186.0201, F.S.; requiring electric utilities to notify the regional planning council of plans to site electric substations; providing for content of the notification; requiring that the information be included in the regional planning council's annual report and supplied to local governments under certain conditions; amending s. 186.513,

F.S.; correcting a reference to a specified agency; providing for application to the Florida Electrical Power Plant Siting Act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1076

Representative Russell in the Chair.

Yeas—114

Adams	Culp	Hukill	Quinones
Allen	Cusack	Jennings	Reagan
Altman	Davis, D.	Johnson	Rice
Ambler	Davis, M.	Jordan	Richardson
Anderson	Dean	Justice	Rivera
Antone	Detert	Kendrick	Robaina
Arza	Domino	Kottkamp	Roberson
Attkisson	Evers	Kravitz	Ross
Ausley	Farkas	Kreegel	Rubio
Barreiro	Fields	Kyle	Russell
Baxley	Flores	Legg	Ryan
Bean	Galvano	Littlefield	Sands
Bendross-Mindingall	Garcia	Llorente	Sansom
Bense	Gardiner	Lopez-Cantera	Seiler
Benson	Gelber	Machek	Simmons
Berfield	Gibson, A.	Mahon	Slosberg
Bilirakis	Gibson, H.	Mayfield	Smith
Bogdanoff	Glorioso	McInvale	Sobel
Bowen	Goldstein	Mealor	Sorensen
Brandenburg	Goodlette	Murzin	Stansel
Brown	Gottlieb	Needelman	Stargel
Brummer	Grant	Negron	Taylor
Brutus	Greenstein	Patterson	Traviesa
Bullard	Grimsley	Peterman	Troutman
Cannon	Harrell	Pickens	Waters
Carroll	Hasner	Planas	Williams
Clarke	Hays	Poppell	Zapata
Coley	Holloway	Porth	
Cretul	Homan	Proctor	

Nays—5

Bucher	Henriquez	Vana
Gannon	Joyner	

Votes after roll call:

Yeas—Meadows

Yeas to Nays—Bendross-Mindingall, Gottlieb

So the bill passed and was immediately certified to the Senate.

Consideration of **HB 7167** was temporarily postponed.

On motion by Rep. Stargel, consideration of **HB 1527** was temporarily postponed.

HB 675 was taken up. On motion by Rep. Pickens, CS for SB 1190 was substituted for HB 675. Under Rule 5.14, the House bill was laid on the table.

CS for SB 1190—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; providing for the effect of the sale of a public hospital to a private purchaser; providing conditions that must be met in order for a sale to be considered a complete sale; providing legislative findings and intent with respect to the effect of the sale of a public hospital to a private purchaser; providing applicability, including retroactive applicability; providing an effective date.

—was read the second time by title.

On motion by Rep. Pickens, the rules were waived and CS for SB 1190 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1077

Representative Russell in the Chair.

Yeas—119

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Baxley	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Bense	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata
Culp	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Carroll

So the bill passed and was immediately certified to the Senate.

On motion by Rep. Traviesa, consideration of **HB 1199** was temporarily postponed.

On motion by Rep. Johnson, consideration of **HB 7253** was temporarily postponed.

HB 7117—A bill to be entitled An act relating to sexual predators and offenders; amending s. 322.141, F.S.; requiring distinctive markings for driver's licenses and identification cards issued to persons who are designated as sexual predators or subject to registration as sexual offenders; providing procedures for offenders to obtain such licenses or identification cards; providing for initial issuance; providing for future repeal of a specified provision; amending s. 322.212, F.S.; prohibiting the alteration of sexual predator or sexual offender markings on driver's licenses or identification cards; providing criminal penalties; amending s. 775.21, F.S.; requiring sexual predators to obtain a distinctive driver's license or identification card; amending s. 943.0435, F.S.; requiring sexual offenders to obtain a distinctive driver's license or identification card; amending s. 944.607, F.S.; requiring specified offenders who are under the supervision of the Department of Corrections but are not incarcerated to obtain a distinctive driver's license or identification card; amending ss. 1002.33 and 1003.63, F.S.; revising cross-references; amending s. 1012.32, F.S.; revising provisions relating to background screening of school district personnel; revising provisions relating to fingerprints; providing procedures for periodic rescreening of certain personnel; amending s. 1012.465, F.S.; revising provisions relating to background screenings of certain noninstructional school district employees and other specified individuals; revising provisions relating to periodic rescreening of certain

persons; creating s. 1012.4561, F.S.; providing definitions; prohibiting contract workers who are designated as sexual predators, subject to registration as a sexual offenders, or who appear on the National Sex Offender Public Registry from being present on school grounds; providing criminal penalties; requiring contract workers working on school grounds to be subject to a check of Florida driver's licenses or identification cards for the purposes of ascertaining their sexual offender and sexual predator status and checked against the National Sex Offender Public Registry; providing duties for certain contract workers; providing penalties; requiring certain individuals to report certain offenses; providing penalties; providing exceptions; providing that no provision of the section shall give rise to private civil liability or create a private cause of action for monetary damages; providing rulemaking authority to school boards; amending s. 1012.56, F.S.; revising provisions relating to background screening for educator certification; revising provisions relating to periodic rescreening of such persons; providing an appropriation; providing effective dates.

—was read the third time by title.

Further consideration of **HB 7117** was temporarily postponed and placed on Unfinished Business.

CS for SB 122—A bill to be entitled An act relating to tuition waivers; amending s. 1009.26, F.S.; requiring state universities and community colleges to waive tuition for a recipient of a Purple Heart or other combat decoration superior in precedence who fulfills specified criteria; providing a percentage cap on the number of required credit hours for which a tuition waiver may be received; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1078

Representative Russell in the Chair.

Yeas—118

Adams	Culp	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Jennings	Reagan
Ambler	Davis, M.	Johnson	Rice
Anderson	Dean	Jordan	Richardson
Antone	Detert	Joyner	Rivera
Arza	Domino	Justice	Robaina
Attkisson	Evers	Kendrick	Roberson
Ausley	Farkas	Kottkamp	Ross
Barreiro	Fields	Kravitz	Rubio
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Seiler
Benson	Gardiner	Lopez-Cantera	Simmons
Berfield	Gelber	Machek	Slosberg
Bilirakis	Gibson, A.	Mahon	Smith
Bogdanoff	Gibson, H.	Mayfield	Sobel
Bowen	Glorioso	McInvale	Sorensen
Brandenburg	Goldstein	Meadows	Stansel
Brown	Goodlette	Mealor	Stargel
Brummer	Gottlieb	Murzin	Taylor
Brutus	Grant	Needelman	Traviesa
Bucher	Greenstein	Negron	Troutman
Bullard	Grimsley	Patterson	Vana
Cannon	Harrell	Peterman	Waters
Carroll	Hasner	Pickens	Williams
Clarke	Hays	Planas	Zapata
Coley	Henriquez	Poppell	
Cretul	Holloway	Porth	

Nays—None

Votes after roll call:

Yeas—Sansom

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 250—A bill to be entitled An act relating to the prosecution of human trafficking; amending s. 787.06, F.S.; providing legislative findings and intent; defining the term "financial harm"; redefining the term "forced labor or services" to include circumstances involving the use of fraud or coercion against a person, the use of certain debt practices, and the destruction, concealing, or withholding of a person's identification documents; providing for attempted human trafficking to be an equal crime to human trafficking; prohibiting knowingly benefiting financially or receiving anything of value from human trafficking when the trafficked person engages in forced labor or services; providing criminal penalties; amending s. 772.102, F.S.; expanding the definition of the term "criminal activity" to include the offense of human trafficking and the offense of sex trafficking for purposes of seeking civil remedies for criminal offenses; amending s. 772.104, F.S.; revising a civil cause of action relating to injuries by reason of criminal activity; providing for alternative damages for violations relating to sex trafficking and human trafficking; amending s. 895.02, F.S.; redefining the term "racketeering activity" to include the offense of human trafficking for purposes of the Florida RICO Act; amending s. 16.56, F.S.; authorizing the Office of the Statewide Prosecution to prosecute any offense involving human trafficking; reenacting ss. 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., relating to the definition of "specified unlawful activity" in a law prohibiting money laundering in financial institutions and in the Florida Money Laundering Act, and the subject matter jurisdiction of a statewide grand jury, to incorporate the amendments made to s. 895.02, F.S., in references thereto; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1079

Representative Russell in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1199—A bill to be entitled An act relating to statewide cable television franchises; providing a short title; amending s. 202.24, F.S.; prohibiting counties and municipalities from negotiating terms and conditions relating to cable services; deleting authorization to negotiate; revising application to existing ordinances or franchise agreements; amending s. 337.401, F.S.; deleting authorization for counties and municipalities to award cable service franchises and a restriction that cable service companies not operate without such a franchise; amending s. 337.4061, F.S.; revising definitions; creating ss. 610.102, 610.103, 610.104, 610.105, 610.106, 610.107, 610.108, 610.109, 610.110, 610.112, 610.113, 610.114, 610.115, and 610.116, F.S.; designating the Department of State as the authorizing authority; providing definitions; requiring state authorization to provide cable services and competitive video programming services; providing requirements and procedures; providing for fees; providing duties and responsibilities of the Department of State; providing application procedures and requirements; providing for issuing certificates of franchise authority; providing eligibility requirements and criteria for a certificate; authorizing the department to adopt rules; providing for an application form; providing for fees; prohibiting the department from imposing taxes, fees, or charges on a cable service provider to issue a certificate; prohibiting imposing buildout requirements on a certificateholder; requiring certificateholders to make cable service available at certain public buildings under certain circumstances; imposing certain customer service requirements on cable service providers; requiring the Department of Agriculture and Consumer Services to receive customer service complaints; requiring provision of public, educational, and governmental access channels or capacity equivalent; providing criteria, requirements, and procedures; providing exceptions; providing responsibilities of municipalities and counties relating to such channels; providing for enforcement; requiring certificateholders to pay a portion of certain monthly revenues to municipalities or counties for a certain period of time; providing for continuing such payments pursuant to local government approval; authorizing continued payments to be itemized; providing criteria for such payments; providing requirements for and limitations on counties and municipalities relating to access to public right-of-way; prohibiting counties and municipalities from imposing additional requirements on certificateholders; authorizing counties and municipalities to require permits of certificateholders relating to public right-of-way; providing permit criteria and requirements; prohibiting discrimination between cable service subscribers; providing for enforcement; providing for determinations of violations; providing for enforcement of compliance by certificateholders; requiring the Office of Program Policy Analysis and Government Accountability to report to the Legislature on the status of competition in the cable service industry; providing report requirements; providing severability; repealing s. 166.046, F.S., relating to definitions and minimum standards for cable television franchises imposed upon counties and municipalities; amending ss. 350.81 and 364.0361, F.S.; removing cross-references to conform; providing an effective date.

—was read the third time by title.

Representative(s) Traviesa offered the following:

(Amendment Bar Code: 833859)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Consumer Choice Act of 2006."

Section 2. Paragraphs (a) and (c) of subsection (2) of section 202.24, Florida Statutes, are amended to read:

202.24 Limitations on local taxes and fees imposed on dealers of communications services.--

(2)(a) Except as provided in paragraph (c), each public body is prohibited from:

1. Levying on or collecting from dealers or purchasers of communications services any tax, charge, fee, or other imposition on or with respect to the provision or purchase of communications services.

2. Requiring any dealer of communications services to enter into or extend the term of a franchise or other agreement that requires the payment of a tax, charge, fee, or other imposition.

3. Adopting or enforcing any provision of any ordinance or agreement to the extent that such provision obligates a dealer of communications services to charge, collect, or pay to the public body a tax, charge, fee, or other imposition.

~~Municipalities and counties may not negotiate. Each municipality and county retains authority to negotiate all terms and conditions of a cable service franchise allowed by federal and state law except those terms and conditions related to franchise fees or and the definition of gross revenues or other definitions or methodologies related to the payment or assessment of franchise fees on providers of cable services.~~

(c) This subsection does not apply to:

1. Local communications services taxes levied under this chapter.
2. Ad valorem taxes levied pursuant to chapter 200.
3. Occupational license taxes levied under chapter 205.
4. "911" service charges levied under chapter 365.
5. Amounts charged for the rental or other use of property owned by a public body which is not in the public rights-of-way to a dealer of communications services for any purpose, including, but not limited to, the placement or attachment of equipment used in the provision of communications services.
6. Permit fees of general applicability which are not related to placing or maintaining facilities in or on public roads or rights-of-way.
7. Permit fees related to placing or maintaining facilities in or on public roads or rights-of-way pursuant to s. 337.401.
8. Any in-kind requirements, institutional networks, or contributions for, or in support of, the use or construction of public, educational, or governmental access facilities allowed under federal law and imposed on providers of cable service pursuant to any existing ordinance or an existing franchise agreement granted by each municipality or county, under which ordinance or franchise agreement service is provided prior to July 1, 2006, or as permitted under chapter 610. Nothing in this subparagraph shall prohibit the ability of providers of cable service to recover such expenses as allowed under federal law.
9. Special assessments and impact fees.
10. Pole attachment fees that are charged by a local government for attachments to utility poles owned by the local government.
11. Utility service fees or other similar user fees for utility services.
12. Any other generally applicable tax, fee, charge, or imposition authorized by general law on July 1, 2000, which is not specifically prohibited by this subsection or included as a replaced revenue source in s. 202.20.

Section 3. Paragraphs (a), (e), and (f) of subsection (3) of section 337.401, Florida Statutes, are amended to read:

337.401 Use of right-of-way for utilities subject to regulation; permit; fees.--

(3)(a)~~1~~ Because of the unique circumstances applicable to providers of communications services, including, but not limited to, the circumstances described in paragraph (e) and the fact that federal and state law require the nondiscriminatory treatment of providers of telecommunications services, and because of the desire to promote competition among providers of communications services, it is the intent of the Legislature that municipalities and counties treat providers of communications services in a nondiscriminatory and competitively neutral manner when imposing rules or regulations governing the placement or maintenance of communications facilities in the public roads or rights-of-way. Rules or regulations imposed by a municipality or county relating to providers of communications services placing or maintaining communications facilities in its roads or rights-of-way must be generally applicable to all providers of communications services and, notwithstanding any other law, may not require a provider of communications services, ~~except as otherwise provided in subparagraph 2,~~ to apply for or enter into an individual license, franchise, or other agreement with the municipality or county as a condition of placing or maintaining communications facilities in its roads or rights-of-way. In addition to other reasonable rules or regulations

that a municipality or county may adopt relating to the placement or maintenance of communications facilities in its roads or rights-of-way under this subsection, a municipality or county may require a provider of communications services that places or seeks to place facilities in its roads or rights-of-way to register with the municipality or county and to provide the name of the registrant; the name, address, and telephone number of a contact person for the registrant; the number of the registrant's current certificate of authorization issued by the Florida Public Service Commission, ~~or the~~ Federal Communications Commission, or the Department of State; and proof of insurance or self-insuring status adequate to defend and cover claims. For the purposes of this section, the term "communications service" includes the term "cable service" as defined in s. 610.103(1) and the term "competitive video programming services" as defined in s. 610.118.

~~2. Notwithstanding the provisions of subparagraph 1., a municipality or county may, as provided by 47 U.S.C. s. 541, award one or more franchises within its jurisdiction for the provision of cable service, and a provider of cable service shall not provide cable service without such franchise. Each municipality and county retains authority to negotiate all terms and conditions of a cable service franchise allowed by federal law and s. 166.046, except those terms and conditions related to franchise fees and the definition of gross revenues or other definitions or methodologies related to the payment or assessment of franchise fees and permit fees as provided in paragraph (c) on providers of cable services. A municipality or county may exercise its right to require from providers of cable service in-kind requirements, including, but not limited to, institutional networks, and contributions for, or in support of, the use or construction of public, educational, or governmental access facilities to the extent permitted by federal law. A provider of cable service may exercise its right to recover any such expenses associated with such in-kind requirements, to the extent permitted by federal law.~~

(e) The authority of municipalities and counties to require franchise fees from providers of communications services, with respect to the provision of communications services, is specifically preempted by the state, ~~except as otherwise provided in subparagraph (a)2,~~ because of unique circumstances applicable to providers of communications services when compared to other utilities occupying municipal or county roads or rights-of-way. Providers of communications services may provide similar services in a manner that requires the placement of facilities in municipal or county roads or rights-of-way or in a manner that does not require the placement of facilities in such roads or rights-of-way. Although similar communications services may be provided by different means, the state desires to treat providers of communications services in a nondiscriminatory manner and to have the taxes, franchise fees, and other fees paid by providers of communications services be competitively neutral. Municipalities and counties retain all existing authority, if any, to collect franchise fees from users or occupants of municipal or county roads or rights-of-way other than providers of communications services, and the provisions of this subsection shall have no effect upon this authority. The provisions of this subsection do not restrict the authority, if any, of municipalities or counties or other governmental entities to receive reasonable rental fees based on fair market value for the use of public lands and buildings on property outside the public roads or rights-of-way for the placement of communications antennas and towers.

(f) Except as expressly allowed or authorized by general law and except for the rights-of-way permit fees subject to paragraph (c), a municipality or county may not levy on a provider of communications services a tax, fee, or other charge or imposition for operating as a provider of communications services within the jurisdiction of the municipality or county which is in any way related to using its roads or rights-of-way. A municipality or county may not require or solicit in-kind compensation, except as otherwise provided in s. 202.24(2)(c)8., s. 610.1075(2), or s. 610.113 ~~subparagraph (a)2.~~ Nothing in this paragraph shall impair any ordinance or agreement in effect on May 22, 1998, or any voluntary agreement entered into subsequent to that date, which provides for or allows in-kind compensation by a telecommunications company.

Section 4. Section 337.4061, Florida Statutes, is amended to read:

337.4061 Definitions; unlawful use of state-maintained road right-of-way by nonfranchised cable television services.--

(1) As used in this section, the term:

(a) "Cable service" means:

1. The one-way transmission to subscribers of video programming or any other programming service; and

2. Subscriber interaction, if any, which is required for the selection of such video programming or other programming service.

(b) "Cable system" means a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within a community, but such term does not include:

1. A facility that serves only to retransmit the television signals of one or more television broadcast stations;

2. A facility that serves only subscribers in one or more multiple-unit dwellings under common ownership, control, or management, unless such facility or facilities use any public right-of-way;

3. A facility that serves subscribers without using any public right-of-way;

~~4. A facility of a common carrier that is subject, in whole or in part, to the provisions of 47 U.S.C. ss. 201 et seq., except the specific bandwidths or wavelengths used by that such facility shall be considered a cable system only to the extent such bandwidths or wavelengths are facility is used in the transmission of video programming directly to subscribers, unless the extent of such use is solely to provide interactive on-demand services, in which case the use of such bandwidths or wavelengths is not a cable system; or~~

~~5. Any facilities of any electric utility used solely for operating its electric utility systems.~~

(c) "Franchise" means an initial authorization or renewal thereof issued by a franchising authority, whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, which authorizes the construction or operation of a cable system.

(d) "Franchising authority" means any governmental entity empowered by federal, state, or local law to grant a franchise.

(e) "Person" means an individual, partnership, association, joint stock company, trust, corporation, or governmental entity.

(f) "Video programming" means programming provided by or generally considered comparable to programming provided by a television broadcast station or cable system.

(2) It is unlawful to use the right-of-way of any state-maintained road, including appendages thereto, and also including, but not limited to, rest areas, wayside parks, boat-launching ramps, weigh stations, and scenic easements, to provide for cable service over a cable system purposes within a geographic area subject to a valid existing franchise for cable service, unless the cable system using such right-of-way holds a franchise from a franchising authority ~~the municipality or county~~ for the area in which the right-of-way is located.

(3) A violation of this section shall be deemed a violation of s. 337.406.

Section 5. Sections 610.102, 610.103, 610.104, 610.105, 610.107, 610.1075, 610.108, 610.109, 610.110, 610.111, 610.112, 610.113, 610.114, 610.115, 610.116, 610.117, and 610.118, Florida Statutes, are created to read:

610.102 Authority to issue cable franchise.--The department shall be designated as the franchising authority, pursuant to 47 U.S.C. s. 522(10), for an ordinance or statutory franchise for the provision of cable service. A municipality or county may not grant a new franchise for the provision of cable service within its jurisdiction after the effective date of this act.

610.103 Definitions.--As used in this chapter, the term:

(1) "Cable service" means:

(a) The one-way transmission to subscribers of video programming or any other programming service.

(b) Subscriber interaction, if any, that is required for the selection of such video programming or other programming service.

(2) "Cable service provider" means a person that provides cable service over a cable system.

(3) "Cable system" means a facility consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service that includes video programming and that is provided to multiple subscribers within a community, but such term does not include:

(a) A facility that serves only to retransmit the television signals of one or more television broadcast stations;

(b) A facility that serves only subscribers in one or more multiple-unit dwellings under common ownership, control, or management, unless such facility or facilities use any public right-of-way;

(c) A facility that serves subscribers without using any public right-of-way;

(d) A facility of a common carrier that is subject, in whole or in part, to the provisions of 47 U.S.C. ss. 201 et seq., except the specific bandwidths or wavelengths over such facility shall be considered a cable system only to the extent such bandwidths or wavelengths are used in the transmission of video programming directly to subscribers, unless the extent of such use is solely to provide interactive on-demand services, in which case it is not a cable system; or

(e) Any facilities of any electric utility used solely for operating its electric utility systems.

(4) "Certificateholder" means a cable service provider that has been issued and holds an ordinance or statutory certificate of franchise authority from the department.

(5) "Department" means the Department of State.

(6) "Franchise" or "franchise authority" means an initial authorization or renewal of an authorization, regardless of whether the authorization is designated as a franchise, permit, license, resolution, contract, certificate, agreement, or otherwise, to construct and operate a cable system in the public right-of-way.

(7) "Incumbent cable service provider" means the cable service provider serving the largest number of cable subscribers in a particular municipal or county franchise area on July 1, 2006.

(8) "Public right-of-way" means the area on, below, or above a public roadway, highway, street, sidewalk, or alley, including, but not limited to, a municipal, county, state, district, or other public roadway, highway, street, sidewalk, or alley.

(9) "Video programming" means programming provided by, or generally considered comparable to programming provided by, a television broadcast station as set forth in 47 U.S.C. s. 522(20).

610.104 Standard cable ordinance; ordinance certificate of franchise authority.

(1) A municipality or county may enact a standard cable ordinance for the provision of cable service over a cable system within its jurisdiction within 60 days after a request by an entity or person, other than the incumbent cable service provider, seeking to provide cable service over a cable system in whole or in part within that municipality or county but in no event later than January 1, 2007. A municipality must, at least 10 days prior to consideration on first reading, and a county must, at least 15 days prior to consideration at a public hearing, provide notice to the Secretary of State of a proposed standard cable ordinance. The notice required by this subsection must be published by the Secretary of State on a designated Internet website.

(2) A standard cable ordinance shall contain each of the terms and conditions set forth in s. 610.107 using the precise language contained in that section. The standard cable ordinance may contain any or all of the provisions in s. 610.1075(1)-(6) and shall not impose any other terms or conditions upon a cable service provider. If a municipality or county enacts a standard cable ordinance within the 60-day period that complies with the requirements of this section, an entity or person seeking to provide cable service over a cable system in whole or in part within that municipality or county shall file its application for an ordinance certificate pursuant to the terms and conditions set forth in s. 610.107 with the municipality or county. Upon determining that an applicant has met the criteria as set forth in s. 610.107, the municipality or county shall immediately issue notice of compliance to the department, whereupon the department shall issue an ordinance certificate of franchise authority that contains all of the terms set forth in s. 610.108(4) within 5 business days. The standard cable ordinance enacted by a municipality or county pursuant to, and in conformance with, the requirements of this chapter shall supersede any existing cable ordinance enacted by the county or municipality with regard to

any cable service provider electing to apply for or operating under a standard ordinance certificate. A municipality or county may not change the terms of any ordinance adopted pursuant to this section, except that the municipality or county may change terms adopted pursuant to s. 610.1075 after a period of 10 years after the date of initial enactment of the standard ordinance and every 10 years thereafter, subject to the limits set forth in s. 610.1075(1)-(6).

610.105 Statutory certificate.--In the event a municipality or county fails to enact the standard cable ordinance permitted by s. 610.104 within 60 days after a request or before January 1, 2007, whichever is earlier, or fails to provide notice of compliance with the department to allow the department to issue an ordinance certificate pursuant to the standard cable ordinance within the period set forth in s. 610.107(3), an entity or person seeking to provide cable service over a cable system in whole or in part within that municipality or county shall file for a statutory certificate of franchise authority with the department as set forth in s. 610.108. If a municipality or county disputes that its ordinance fails to comply with the requirements of s. 610.104 or disputes that it has failed to notify the department to issue an ordinance certificate within the period set forth in s. 610.107(3), the statutory certificate of franchise authority shall govern until the dispute is resolved and the municipality or county notifies the department to issue an ordinance certificate pursuant to a valid standard cable ordinance.

610.107 Required provisions of standard cable ordinance.--A municipality or county electing to enact a standard cable ordinance pursuant to s. 610.104 must adopt the provisions set forth in subsections (1)-(11) using the precise language set forth in those subsections, except as otherwise indicated in brackets, and may not include any other terms or conditions:

(1) An entity or person seeking to provide cable service over a cable system located in whole or in part within [the applicable municipality or county] must submit to [the applicable municipal or county agency] an affidavit signed by an officer or general partner of the applicant affirming:

(a) That the applicant has filed or will timely file with the Federal Communications Commission all forms required by that agency in advance of offering cable service in this state.

(b) That the applicant agrees to comply with all applicable federal and state laws and regulations, to the extent that such state laws and rules are not in conflict with or superseded by the provisions of chapter 610 and s. 337.401, Florida Statutes, or other applicable state law.

(c) That the applicant agrees to comply with all lawful state laws and rules and municipal and county ordinances and regulations regarding the placement and maintenance of communications facilities in the public right-of-way that are generally applicable to providers of communications services in accordance with s. 337.401, Florida Statutes.

(d) A description of the service area for which the applicant seeks certificate of franchise authority, which need not be coextensive with municipal, county, or other political boundaries.

(e) The location of the applicant's principal place of business and the names of the applicant's principal executive officers.

(f) That the applicant is authorized to do business in the state.

(g) That the applicant has sufficient technical, financial, and managerial capability to provide cable service within the service area for which the applicant seeks a certificate of franchise authority. At the time of the filing of the affidavit, the applicant shall furnish its most recent unqualified audited financial statement if a publicly available audited financial report for the applicant or its parent entity is not available.

(h) That neither the applicant nor any of its current principal executive officers are under indictment or have been convicted of a felony in this state.

(2) Before the 10th business day after an applicant for a certificate of franchise authority submits the affidavit described in subsection (1), the [applicable municipal or county agency] shall notify the applicant whether the applicant's affidavit is complete. If the [applicable municipal or county agency] finds that the application is incomplete, the [applicable municipal or county agency] must specify with

particularity the corrective action required and permit the applicant to amend the application to cure any deficiency.

(3) The [applicable municipal or county agency] shall provide a notice of compliance to the Department of State before the 15th business day after receipt of an affidavit submitted by an applicant pursuant to subsection (1), except that, if the [applicable municipal or county agency] provides notice before the 10th business day after receipt of the affidavit that the affidavit is not complete pursuant to subsection (2), the [applicable municipal or county agency] shall submit a notice of compliance to the Department of State within 5 business days after receipt of an amended affidavit.

(4) After the Department of State issues an ordinance certificate of franchise authority pursuant to s. 610.104, Florida Statutes, the applicant shall have the right to provide cable service over a cable system as requested in the affidavit and shall have the right to construct, maintain, and operate facilities through, upon, over, and under any public right-of-way or waters within [the applicable municipality or county].

(5) A certificateholder may include additional service areas within [the applicable municipality or county] in its current ordinance certificate by filing notice with the [applicable municipal or county agency] and the Department of State that reflects the new service area or areas to be served.

(6) The ordinance certificate is fully transferable to any successor in interest to the applicant to which the certificate is initially granted. A notice of transfer shall be filed with the [applicable municipal or county agency] and the Department of State within 14 business days following the completion of such transfer.

(7) The certificate of franchise authority issued by the department may be terminated by the cable service provider by submitting notice to the [applicable municipal or county agency] and the Department of State.

(8) An applicant may challenge a denial of an application or any failure to act by the [applicable municipal or county agency] in a court of competent jurisdiction through a petition for a writ of mandamus.

(9) The [applicable municipal or county agency] may adopt a standard application form, in which case the application shall be on such form.

(10) For the purposes of this ordinance, the definitions set forth in s. 610.103, Florida Statutes, shall apply.

(11) After [the effective date of this ordinance], a cable service provider operating under a franchise agreement granted by [the applicable municipality or county] prior to [the effective date of this ordinance] may elect to terminate its existing franchise agreement pursuant to s. 610.109, Florida Statutes, and obtain an ordinance franchise hereunder.

610.1075 Optional provisions of standard cable ordinance.--A municipality or county electing to enact a standard cable ordinance pursuant to s. 610.104 may include provisions that:

(1) Establish the number of public, educational, and governmental access channels that each cable service provider must provide, upon request, to the municipality or county, as follows:

(a) A municipality or county may require an ordinance certificateholder, within 180 days following a request from such municipality or county, to designate a sufficient amount of capacity on its network to allow the provision of a comparable number of public, educational, and governmental access channels or capacity equivalent that a municipality or county has activated under the incumbent cable service provider's franchise agreement as of January 1, 2006, or the number of channels or capacity set forth in paragraph (b), whichever is greater. For the purposes of this section, a public, educational, or governmental channel is deemed activated if the channel is being used for public, educational, or governmental programming within the municipality or county for at least 4 hours per day. The municipality or county may require, within 180 days following a request from such municipality or county, additional channels or capacity up to the equivalent permitted under the incumbent cable service provider's

franchise agreement as of January 1, 2006, upon a showing that activated channels are substantially used, as set forth in s. 610.113(5).

(b) If a municipality or county did not have public, educational, or governmental access channels activated under the incumbent cable service provider's franchise agreement as of January 1, 2006, the municipality or county may require the ordinance certificateholder to furnish, not later than 180 days following a request by the municipality or county:

1. Up to three public, educational, or governmental channels or capacity equivalent for a municipality or county with a population of at least 50,000.

2. Up to two public, educational, or governmental channels or capacity equivalent for a municipality or county with a population of less than 50,000.

(c) All other provisions of s. 610.113 shall apply to the provision of public, educational, or governmental access channels by an ordinance certificateholder.

(2) Require the ordinance certificateholder to make cash payments as follows:

(a) To the extent that the municipality or county was entitled on July 1, 2006, to receive recurring cash payments on a per subscriber basis to support the capital costs of public, educational, and governmental access facilities pursuant to the terms of the incumbent cable service provider's franchise, the municipality or county may require an ordinance certificateholder to make the same recurring cash payments on a per subscriber basis until the expiration date set forth in the incumbent cable service provider's franchise agreement existing as of July 1, 2006, regardless of whether the incumbent cable service provider's franchise agreement is terminated pursuant to s. 610.109(4). Thereafter, the municipality or county may require an ordinance certificateholder to pay to the municipality or county an amount not to exceed 1 percent of the certificateholder's sales price as defined in s. 202.11(13) for the retail sale of cable services provided to customers located within the respective municipal or county boundaries, based upon the certificateholder's books and records. Such payments may only be used by the municipality or county to support the capital costs incurred by the municipality or county for public, educational, or governmental access facilities. All payments made pursuant to this subsection shall be made in the same manner as and as a part of the certificateholder's payment of communications services tax pursuant to s. 202.27, and all definitions, exemptions, and administrative provisions of chapter 202 shall apply to such payments.

(b) If the municipality or county was not entitled on July 1, 2006, to receive recurring cash payments on a per subscriber basis to support the capital costs of public, educational, and governmental access facilities pursuant to the terms of the incumbent cable service provider's franchise, or if the municipality or county elects not to require payments under paragraph (a), the municipality or county may require an ordinance certificateholder to pay to the municipality or county an amount not to exceed 1 percent of the certificateholder's sales price as defined in s. 202.11(13) for the retail sale of cable services provided to customers located within the respective municipal or county boundaries, based upon the certificateholder's books and records. Such payments may only be used by the municipality or county to support the capital costs incurred by the municipality or county for public, educational, or governmental access facilities. All payments made pursuant to this subsection shall be made in the same manner as and as a part of the certificateholder's payment of communications services tax pursuant to s. 202.27, and all definitions, exemptions, and administrative provisions of chapter 202 shall apply to such payments.

(3) Require each ordinance certificateholder, if requested pursuant to a bona fide order for cable service, to make cable service available at each building used for municipal or county purposes, including, but not limited to, emergency operations centers, fire stations, and public schools within the area described in its application under s. 610.107(1)(d), within 5 years after the date of the issuance of its certificate by the municipality or county. Such provisions must permit the ordinance certificateholder to satisfy this obligation using the technology of its choice.

(4) Identify and cross-reference other municipal and county ordinances and regulations regarding the placement and maintenance of communications facilities in the public right-of-way with which each ordinance certificateholder must comply. Any other ordinance and regulation identified and cross-referenced in the standard cable ordinance shall be generally applicable to all providers of communications services in accordance with s. 337.401.

(5) Require an incumbent cable service provider to comply with customer service requirements reasonably comparable to, and that do not exceed, the standards in 47 C.F.R. s. 76.309(c). Such requirements shall only apply until there are two or more providers offering service, excluding direct-to-home satellite service, in the relevant service area. In addition, the municipality or county may require that cable service quality complaints from customers of an ordinance certificateholder within the jurisdiction of the municipality or county be filed with an appropriate municipal or county office or agency. This subsection shall not be construed to permit the municipality or county to impose customer service standards in conflict with this section. The municipality or county must require the applicable municipal or county agency to address customer service complaints expeditiously by assisting with the resolution of such complaints between the complainant and the certificateholder.

(6) Require an ordinance certificateholder to update the information contained in the original application for an ordinance certificate no more frequently than once every 3 years.

610.108 Application process; statutory certificate of franchise authority.--When a person or entity applies for a statutory certificate of franchise authority under s. 610.105, the following provisions apply:

(1) Before the 10th business day after an applicant for a certificate of franchise authority submits the affidavit described in subsection (2), the department shall notify the applicant whether the applicant's affidavit is complete. If the department denies the application, the department must specify with particularity the reasons for the denial and permit the applicant to amend the application to cure any deficiency. The department shall act upon such amended application within 5 business days.

(2) The department shall issue a certificate of franchise authority to offer cable service before the 15th business day after receipt of a completed affidavit submitted by an applicant and signed by an officer or general partner of the applicant affirming:

(a) That the applicant has filed or will timely file with the Federal Communications Commission all forms required by that agency in advance of offering cable service in this state.

(b) That the applicant agrees to comply with all applicable federal and state laws and regulations, to the extent that such state laws and rules are not in conflict with or superseded by the provisions of this chapter or other applicable state law.

(c) That the applicant agrees to comply with all lawful state laws and rules and municipal and county ordinances and regulations regarding the placement and maintenance of communications facilities in the public right-of-way that are generally applicable to providers of communications services in accordance with s. 337.401.

(d) A description of the service area for which the applicant seeks a certificate of franchise authority, which need not be coextensive with municipal, county, or other political boundaries.

(e) The location of the applicant's principal place of business and the names of the applicant's principal executive officers.

(f) That the applicant is authorized by the department to transact business in this state.

(g) That the applicant has sufficient technical, financial, and managerial capability to provide cable service within the service area for which the applicant seeks a certificate of franchise authority. At the time of the filing of the affidavit, the applicant shall furnish its most recent unqualified audited financial statement if a publicly available audited financial report for the applicant or its parent entity is not available.

(h) That neither the applicant nor any of its current principal executive officers are under indictment nor have been convicted of a felony in this state.

(3) If the department fails to act on the application within 30 business days after receiving the application, the application shall have been deemed granted by the department without further action.

(4) The certificate of franchise authority issued by the department shall contain:

(a) A grant of authority to provide cable service over a cable system as requested in the application.

(b) A grant of authority to construct, maintain, and operate facilities through, upon, over, and under any public right-of-way.

(c) A statement that the grant of authority is subject to lawful operation of the cable system to provide cable service by the applicant or its successor in interest.

(5) A certificateholder that seeks to include additional service areas in its current certificate shall file notice with the department that reflects the new service area or areas to be served.

(6) The certificate of franchise authority issued by the department is fully transferable to any successor in interest to the applicant to which the certificate is initially granted. A notice of transfer shall be filed with the department and the relevant municipality or county within 14 business days following the completion of such transfer.

(7) The certificate of franchise authority issued by the department may be terminated by the cable service provider by submitting notice to the department.

(8) An applicant may challenge a denial of an application by the department in a court of competent jurisdiction through a petition for a writ of mandamus.

(9) The department may adopt any procedural rules and regulations pursuant to ss. 120.536(1) and 120.54 necessary to implement this section. Failure of an applicant to comply with procedural rules and regulations adopted by the department to implement this section shall not be a basis for denial of a certificate if the affidavit is submitted before the department adopts such procedural rules and regulations.

(10) The department may revoke an ordinance or statutory certificate of franchise authority for any area as to which a court of competent jurisdiction finds, pursuant to s. 610.117, that a certificateholder is in noncompliance with the requirements of this chapter after notice and a reasonable time to cure the noncompliance.

(11) The department may establish a standard application form and if such a form is created, applications shall be on such form and must be accompanied by a one-time application fee established by the department, not to exceed \$10,000. The fee shall be based on the costs incurred by the department in performing its duties under the provisions of ss. 610.102-610.118.

(12) Beginning 3 years after approval of the certificateholder's initial ordinance or statutory certificate of franchise, and every 3 years thereafter, the certificateholder shall update the information contained in the original application for a certificate of franchise. At the time of the filing of the information update, the certificateholder shall pay a processing fee, not to exceed \$1,000, for the costs incurred by the department in the handling of the information update.

(13) Beginning 10 years after approval of the certificateholder's initial ordinance or statutory certificate of franchise, and every 10 years thereafter, the certificateholder shall file a renewal notice accompanied by an affidavit that contains the information required by subsection (4). At the time of the filing of the renewal notice, the certificateholder shall pay a fee, not to exceed \$10,000, established by the department. The certificateholder may elect to renew any or all of its ordinance and statutory certificates in a single filing with the department subject to a single filing fee. The fee shall be based on the costs incurred by the department in performing its duties under this subsection. Upon receipt of the notice of renewal and payment of the fee, the certificates shall be deemed automatically renewed unless the department files a notice of deficiency within 30 days. The certificateholder shall have 30 days to cure any deficiency in its renewal notice. A deficiency with respect to a particular municipality or county shall not affect the renewal of the certificates with respect to any other service area.

610.109 Eligibility of incumbent cable provider for ordinance or statutory certificate of franchise authority.--

(1) Except as provided in subsection (4), an incumbent cable service provider that has an existing, unexpired franchise to provide cable service with respect to a municipality or county as of July 1, 2006, is not eligible to seek an ordinance or statutory certificate of franchise authority under this chapter as to that municipality or county until the expiration date of the existing franchise agreement.

(2) For purposes of this section, a cable service provider will be deemed to have or have had a franchise to provide cable service in a specific municipality or county if any affiliate or successor entity of the cable service provider has or had a franchise agreement granted by that specific municipality or county.

(3) For purposes of this section, the term "affiliate or successor entity" refers to an entity receiving, obtaining, or operating under a franchise that directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with the cable service provider.

(4) Notwithstanding subsection (1), a cable service provider may elect to terminate an existing municipal or county franchise and seek an ordinance or statutory certificate of franchise authority with respect to such municipality or county on January 1, 2007, or the date on which such municipality or county adopts a standard ordinance pursuant to s. 610.104, whichever is earlier. The cable service provider may terminate its existing franchise under this subsection by providing written notice to the Secretary of State and the affected municipality or county within 180 days following the issuance of the ordinance or statutory certificate of franchise authority to the nonincumbent cable service provider. The municipal or county franchise is terminated on the date the ordinance or statutory certificate of franchise authority is granted with respect to such municipality or county to the cable service provider.

610.110 Franchise fee prohibited.--Except as otherwise provided in this chapter, the department may not impose any taxes, fees, charges, or other impositions on a cable service provider as a condition for the issuance of an ordinance or statutory certificate of franchise authority. Except as otherwise provided in this chapter, no municipality or county may impose any taxes, fees, charges, or other exactions on certificateholders in connection with use of public right-of-way as a condition of a certificateholder doing business in the municipality or county, or otherwise, except such taxes, fees, charges, or other exactions permitted by chapter 202, s. 337.401(6), and this chapter.

610.111 Buildout.--Except as otherwise provided in s. 610.1075(3), no franchise authority, state agency, or political subdivision may impose any buildout requirements on a certificateholder. However, each certificateholder, if requested pursuant to a bona fide order for cable service, shall make cable service available at each building used for municipal or county purposes, including, but not limited to, emergency operations centers, fire stations, and public schools within the area described in its application under s. 610.108(2)(d), as applicable, within 5 years after the date of the issuance of its certificate by the department, using the technology of its choice.

610.112 Customer service standards.--

(1) An incumbent cable service provider shall comply with customer service requirements reasonably comparable to, and that do not exceed, the standards in 47 C.F.R. s. 76.309(c) until there are two or more providers offering service, excluding direct-to-home satellite service, in the relevant service area.

(2) The Department of Agriculture and Consumer Services shall receive service quality complaints from customers of a statutory certificateholder. The Department of Agriculture and Consumer Services may adopt any procedural rules pursuant to ss. 120.536(1) and 120.54 necessary to implement this section.

(3) The Department of Agriculture and Consumer Services shall address customer service complaints expeditiously by assisting with the resolution of such complaints between the complainant and the certificateholder.

610.113 Public, educational, and governmental access channels.--

(1) A certificateholder, not later than 180 days following a request by a municipality or county within whose jurisdiction the certificateholder is providing cable service, shall designate a sufficient amount of capacity on its network to allow the provision of public, educational, and governmental

access channels for noncommercial programming as set forth in this section and in a municipal or county franchise pursuant to s. 610.1075(1).

(2) A certificateholder shall designate a sufficient amount of capacity on its network to allow the provision of a comparable number of public, educational, and governmental access channels or capacity equivalent that a municipality or county has activated under the incumbent cable service provider's franchise agreement as of July 1, 2006, or the number of channels or capacity set forth in paragraphs (3)(a) and (b), whichever is greater. For the purposes of this section, a public, educational, or governmental channel is deemed activated if the channel is being used for public, educational, or governmental programming within the municipality or county for at least 4 hours per day. The municipality or county may request additional channels or capacity up to the equivalent permitted under the incumbent cable service provider's franchise agreement as of January 1, 2006, upon a showing that active channels are substantially used, as set forth in subsection (5). Except as provided in subsections (3)-(5), the certificateholder's obligations under this subsection continue regardless of whether the incumbent cable service provider, subsequent to July 1, 2006, becomes a certificateholder pursuant to this chapter.

(3) If a municipality or county did not have public, educational, or governmental access channels activated under the incumbent cable service provider's franchise agreement as of July 1, 2006, not later than 180 days following a request by the municipality or county within whose jurisdiction a certificateholder is providing cable service, the cable service provider shall furnish:

(a) Up to three public, educational, or governmental channels or capacity equivalent for a municipality or county with a population of at least 50,000.

(b) Up to two public, educational, or governmental channels or capacity equivalent for a municipality or county with a population of less than 50,000.

(4) Any public, educational, or governmental channel provided pursuant to this section that, within 6 months after it is initially provided, is not used by the municipality or county for at least 10 hours a day shall no longer be made available to the municipality or county but may be programmed at the cable service provider's discretion. At such time as the municipality or county can certify to the cable service provider a schedule for at least 10 hours of daily programming, the cable service provider shall restore the previously lost channel but shall be under no obligation to carry that channel on a basic or analog tier.

(5) If a municipality or county has not used the number of access channels or capacity equivalent permitted by subsection (2) or subsection (3), access to the additional channels or capacity equivalent allowed in subsection (2) or subsection (3) shall be provided upon 180 days' written notice if the municipality or county meets the following standard:

(a) If a municipality or county has one active public, educational, or governmental channel and wishes to activate an additional public, educational, or governmental channel, the initial channel shall be considered to be substantially used when 12 hours are programmed on that channel each calendar day. In addition, at least 40 percent of the 12 hours of programming for each business day on average over each calendar quarter must be nonrepeat programming. Nonrepeat programming shall include the first three videocastings of a program.

(b) If a municipality or county is entitled to three public, educational, or governmental channels under subsection (3) and has in service two active public, educational, or governmental channels, each of the two active channels shall be considered to be substantially used when 12 hours are programmed on each channel each calendar day and at least 50 percent of the 12 hours of programming for each business day on average over each calendar quarter is nonrepeat programming for three consecutive calendar quarters.

(6) The operation of any public, educational, or governmental access channel or capacity equivalent provided under this section shall be the responsibility of the municipality or county receiving the benefit of such channel or capacity equivalent, and a certificateholder bears only the responsibility for the transmission of such channel content. A certificateholder shall be responsible for providing the connectivity to each public, educational, or governmental access channel distribution point up to the first 200 feet.

(7) The municipality or county shall ensure that all transmissions, content, or programming to be transmitted over a channel or facility by a certificateholder are provided or submitted to the cable service provider in a manner or form that is capable of being accepted and transmitted by a provider without any requirement for additional alteration or change in the content by the provider over the provider's network and is compatible with the technology or protocol used by the cable service provider to deliver services. The provision of public, educational, or governmental content to the provider constitutes authorization for the provider to carry such content, including, at the provider's option, authorization to carry the content beyond the jurisdictional boundaries of the municipality or county.

(8) Where technically feasible, a certificateholder and an incumbent cable service provider shall use reasonable efforts to interconnect their cable systems for the purpose of providing public, educational, and governmental programming. Interconnection may be accomplished by direct cable, microwave link, satellite, or other reasonable method of connection. Certificateholders and incumbent cable service providers shall negotiate in good faith and incumbent cable service providers may not withhold interconnection of public, educational, and governmental channels.

(9) A certificateholder is not required to interconnect for, or otherwise transmit, public, educational, and governmental content that is branded with the logo, name, or other identifying marks of another cable service provider, and a municipality or county may require a cable service provider to remove its logo, name, or other identifying marks from public, educational, and governmental content that is to be made available to another provider.

(10) A court of competent jurisdiction shall have exclusive jurisdiction to enforce any requirement under this section.

(11) In support of the capital costs incurred by the municipality or county in connection with the construction or operation of public, educational, or governmental access facilities and content provided by a municipality or county pursuant to this section, the certificateholder shall pay to the municipality or county 1 percent of the certificateholder's sales price, as defined in s. 202.11(13), for the retail sale of cable services provided to customers located within the respective municipal or county boundaries, based upon the certificateholder's books and records, for a period of 2 years after the date the department issues a certificate to the certificateholder. After the expiration of the 2-year period, the certificateholder shall pay and the municipality or county shall continue to receive up to 1 percent of such sales price in support of the capital costs incurred by the municipality or county in connection with the construction or operation of public, educational, or governmental access facilities and content provided by the municipality or county only if the governing body of the municipality or county affirmatively approves such continued payment. Upon such affirmative vote of approval, the certificateholder may recover from the customer its costs of the payment through a separately stated charge on the customer's bill. All payments made pursuant to this subsection shall be made in the same manner as, and as a part of, the certificateholder's payment of communications services tax pursuant to s. 202.27, and all definitions, exemptions, and administrative provisions of chapter 202 shall apply to such payments.

610.114 Nondiscrimination by municipality or county.--

(1) A municipality or county shall allow a certificateholder to install, construct, and maintain a network within a public right-of-way and shall provide a certificateholder with nondiscriminatory and competitively neutral access to the public right-of-way in accordance with the provisions of s. 337.401. All use of a public right-of-way by a certificateholder is nonexclusive.

(2) A municipality or county may not discriminate against a certificateholder regarding:

- (a) The authorization or placement of a network in a public right-of-way;
- (b) Access to a building or other property; or
- (c) Utility pole attachment terms.

(3) Except as expressly provided in this chapter, nothing contained in this chapter shall be construed to limit or abrogate the municipality's or county's authority over the use of public right-of-way under its jurisdiction, as set forth in s. 337.401(3)(a).

610.115 Limitation on local authority.--

(1) A municipality or county may not impose additional requirements on a certificateholder, including, but not limited to, financial, operational, and administrative requirements, except as expressly permitted by this chapter. A municipality or county may not impose on activities of a certificateholder a requirement:

(a) That particular business offices be located in the municipality or county;

(b) Regarding the filing of reports and documents with the municipality or county that are not required by state or federal law and that are not related to the use of the public right-of-way. Reports and documents other than schematics indicating the location of facilities for a specific site that are provided in the normal course of the municipality's or county's permitting process, that are authorized by s. 337.401 for communications services providers, or that are otherwise required in the normal course of such permitting process shall not be considered related to the use of the public right-of-way for communications services providers. A municipality or county may not request information concerning the capacity or technical configuration of a certificateholder's facilities;

(c) For the inspection of a certificateholder's business records; or

(d) For the approval of transfers of ownership or control of a certificateholder's business, except a municipality or county may require a certificateholder to provide notice of a transfer within a reasonable time.

(2) Notwithstanding any other provision of law, a municipality or county may require the issuance of a permit in accordance with and subject to s. 337.401 to a certificateholder that is placing and maintaining facilities in or on a public right-of-way in the municipality or county. In accordance with s. 337.402, the permit may require the permit holder to be responsible, at the permit holder's expense, for any damage resulting from the issuance of such permit and for restoring the public right-of-way to a substantially similar condition to that of the public right-of-way before installation of such facilities. The terms of the permit shall be consistent with construction permits issued to other providers of communications services placing or maintaining communications facilities in a public right-of-way.

610.116 Discrimination prohibited.--

(1) The purpose of this section is to prevent discrimination among potential residential subscribers.

(2) Pursuant to 47 U.S.C. s. 541(a)(3), a certificateholder may not deny access to service to any group of potential residential subscribers because of the income of the residents in the local area in which such group resides.

(3) An affected person may seek enforcement of the requirements provided by subsection (2) by initiating a proceeding with the Department of Agriculture and Consumer Services pursuant to s. 570.544.

(4) For purposes of determining whether a certificateholder has violated subsection (2), cost, density, distance, and technological or commercial limitations shall be taken into account, and the certificateholder shall have a reasonable time to deploy service pursuant to 47 U.S.C. s. 541(a)(4)(A). Use of an alternative technology that provides comparable content, service, and functionality may not be considered a violation of subsection (2). The inability to serve an end user because a certificateholder is prohibited from placing its own facilities in a building or property is not a violation of subsection (2). This section may not be construed to authorize any buildout requirements on a certificateholder.

(5) The Department of Agriculture and Consumer Services may adopt any procedural rules pursuant to ss. 120.536(1) and 120.54 necessary to implement this section.

610.117 Compliance.--If a certificateholder is found by a court of competent jurisdiction to not comply with the requirements of this chapter, the certificateholder shall have a reasonable period of time, as specified by the court, to cure such noncompliance.

610.118 Applicability to competitive video programming services.--A provider of competitive video programming services shall apply for and obtain an ordinance or statutory certificate of franchise authority under ss. 610.102-610.118, including all rights and obligations associated therewith, before providing service in the state, notwithstanding that competitive video programming service is not a cable service as defined s. 610.103. For purposes of ss. 610.102-610.118, the term "competitive video programming services" means video programming provided through wireline facilities located at

least in part of the public right-of-way without regard to delivery technology, including Internet protocol technology, provided that this definition does not include any video programming provided by a cable service operator; any video programming provided via an Internet access service, as that term is defined in 47 U.S.C. s. 231(e)(4); or any video programming service provided by a commercial mobile service provider defined in 47 U.S.C. s. 322(b).

Section 6. Reports to the Legislature.--On December 1, 2009, the Office of Program Policy Analysis and Governmental Accountability shall submit to the President of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and House of Representatives a report on the status of competition in the cable service industry, including, by each municipality and county, the number of cable service providers, the number of cable subscribers served, the number of areas served by fewer than two cable service providers, the trend in cable prices, and the identification of any patterns of service as they impact demographic and income groups.

Section 7. Severability.--If any provision of ss. 610.102-610.118, Florida Statutes, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of ss. 610.102-610.118, Florida Statutes, that can be given effect without the invalid provision or application, and to this end the provisions of ss. 610.102-610.118, Florida Statutes, are severable.

Section 8. Section 166.046, Florida Statutes, is repealed.

Section 9. Paragraph (a) of subsection (3) of section 350.81, Florida Statutes, is amended to read:

350.81 Communications services offered by governmental entities.--

(3)(a) A governmental entity that provides a cable service shall comply with the Cable Communications Policy Act of 1984, 47 U.S.C. ss. 521 et seq., the regulations issued by the Federal Communications Commission under the Cable Communications Policy Act of 1984, 47 U.S.C. ss. 521 et seq., and all applicable state and federal rules and regulations, including, but not limited to, ~~s. 166.046 and~~ those provisions of chapters 202, 212, ~~and~~ 337, and 610 which apply to a provider of the services.

Section 10. Section 364.0361, Florida Statutes, is amended to read:

364.0361 Local government authority; nondiscriminatory exercise.--A local government shall treat each telecommunications company in a nondiscriminatory manner when exercising its authority to grant franchises to a telecommunications company or to otherwise establish conditions or compensation for the use of rights-of-way or other public property by a telecommunications company. A local government may not directly or indirectly regulate the terms and conditions, including, but not limited to, the operating systems, qualifications, services, service quality, service territory, and prices, applicable to or in connection with the provision of any voice-over-Internet protocol, regardless of the platform, provider, or protocol, broadband or information service. This section does not relieve a provider from any obligations under ~~s. 166.046 or~~ s. 337.401.

Section 11. This act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to statewide cable television franchises; providing a short title; amending s. 202.24, F.S.; prohibiting counties and municipalities from negotiating terms and conditions relating to cable services; deleting authorization to negotiate; revising application to existing ordinances or franchise agreements; amending s. 337.401, F.S.; deleting authorization for counties and municipalities to award cable service franchises and a restriction that cable service companies not operate without such a franchise; amending s. 337.4061, F.S.; revising definitions; creating ss. 610.102, 610.103, 610.104, 610.105, 610.107, 610.1075, 610.108, 610.109, 610.110, 610.111, 610.112, 610.113, 610.114, 610.115, 610.116, 610.117, and 610.118, F.S.; designating the Department of State as the authorizing authority; providing definitions; requiring state authorization to provide cable services and competitive video programming services; providing requirements and procedures; providing for fees; providing duties and responsibilities of the Department of State; providing application procedures and requirements; providing for issuing

certificates of franchise authority; providing eligibility requirements and criteria for a certificate; authorizing the department to adopt rules; providing for an application form; providing for fees; prohibiting the department from imposing taxes, fees, or charges on a cable service provider to issue a certificate; prohibiting imposing buildout requirements on a certificateholder; requiring certificateholders to make cable service available at certain public buildings under certain circumstances; imposing certain customer service requirements on cable service providers; requiring the Department of Agriculture and Consumer Services to receive customer service complaints; requiring provision of public, educational, and governmental access channels or capacity equivalent; providing criteria, requirements, and procedures; providing exceptions; providing responsibilities of municipalities and counties relating to such channels; providing for enforcement; requiring certificateholders to pay a portion of certain monthly revenues to municipalities or counties for a certain period of time; providing for continuing such payments pursuant to local government approval; authorizing continued payments to be itemized; providing criteria for such payments; providing requirements for and limitations on counties and municipalities relating to access to public right-of-way; prohibiting counties and municipalities from imposing additional requirements on certificateholders; authorizing counties and municipalities to require permits of certificateholders relating to public right-of-way; providing permit criteria and requirements; prohibiting discrimination between cable service subscribers; providing for enforcement; providing for determinations of violations; providing for enforcement of compliance by certificateholders; requiring the Office of Program Policy Analysis and Government Accountability to report to the Legislature on the status of competition in the cable service industry; providing applicability to competitive video programming services; providing report requirements; providing severability; repealing s. 166.046, F.S., relating to definitions and minimum standards for cable television franchises imposed upon counties and municipalities; amending ss. 350.81 and 364.0361, F.S.; conforming cross-references; providing an effective date.

Rep. Traviesa moved the adoption of the amendment.

Representative(s) Traviesa offered the following:

(Amendment Bar Code: 599477)

Amendment 1 to Amendment 1—

===== TITLE AMENDMENT =====

Remove line(s) 1128-1174 and insert:

610.116, 610.117, and 610.118, F.S.; designating the Department of State as the franchising authority for cable service ordinances or statutory franchises; prohibiting counties or municipalities from granting new cable service franchises after a certain date; providing definitions; authorizing municipalities and counties to enact standard cable service ordinances under certain circumstances; providing ordinance requirements, procedures, and limitations; providing for issuance of a statutory certificate of franchise authority issued by the Department of State under certain circumstances; specifying required provisions of standard cable service franchise ordinances; providing for optional provisions of such ordinances; providing requirements; specifying an application process for statutory certificates of franchise authority; providing requirements; authorizing the department to adopt rules; authorizing the department to revoke certificates under certain circumstances; specifying eligibility criteria and requirements for certain cable providers for franchise authority for cable service ordinances or statutory certificates; prohibiting the department from imposing taxes, fees, or charges on a cable service provider to issue a certificate; prohibiting imposing buildout requirements on a certificateholder; specifying certain customer service standards; requiring certificateholders to make cable service available at certain public buildings under certain circumstances; requiring the Department of Agriculture and Consumer Services to receive customer service complaints; requiring provision of public, educational, and governmental access channels or capacity equivalent; providing criteria,

requirements, and procedures; providing exceptions; providing responsibilities of municipalities and counties relating to such channels; providing for enforcement; requiring certificateholders to pay a portion of certain monthly revenues to municipalities or counties for a certain period of time; providing for continuing such payments pursuant to local government approval; authorizing continued payments to be itemized; providing criteria for such payments; providing requirements for and limitations on counties and municipalities relating to access to public right-of-way; prohibiting counties and municipalities from imposing additional requirements on certificateholders; authorizing counties and municipalities to require permits of certificateholders relating to public right-of-way; providing permit criteria and requirements; prohibiting discrimination between cable service subscribers; providing for enforcement; providing for determinations of violations; providing for enforcement of compliance by certificateholders; requiring the Office of Program Policy Analysis and Government Accountability to report to the Legislature on the status of competition in the cable service industry; providing applicability to competitive video programming services; providing report requirements; providing severability; repealing s. 166.046, F.S.,

Rep. Traviesa moved the adoption of the amendment to the amendment, which was adopted.

Representative Traviesa offered the following:

(Amendment Bar Code: 896783)

Amendment 2 to Amendment 1 (with title amendment)—Between lines 1109 and 1110 insert:

Section 11. The recurring sum of \$850,116 is appropriated from the General Revenue Fund, with 15 FTE and 618,721 in salary rate, to the Division of Corporations of the Department of State to implement the provisions of this act.

===== TITLE AMENDMENT =====

Remove line 1178 and insert:

conforming cross-references; providing an appropriation; providing an effective date.

Rep. Traviesa moved the adoption of the amendment to the amendment, which was adopted.

Representative Goldstein offered the following:

(Amendment Bar Code: 954871)

Amendment 3 to Amendment 1 (with title amendment)—Between lines 1109 and 1110, insert:

Section 11. Any deed restriction or restrictive covenant recorded prior to July 1, 2006, with respect to a parcel of land zoned for and occupied by a single family dwelling that requires the owner of the parcel of land to purchase cable service from a particular provider to the exclusion of other cable service providers may be voided at the option of the purchaser of the parcel at the time of sale.

===== TITLE AMENDMENT =====

Remove line 1178 and insert:

conforming cross-references; providing for voiding certain deed restrictions or restrictive covenants relating to cable service purchase requirements; providing an effective date.

Rep. Goldstein moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted by the required two-thirds vote.

THE SPEAKER IN THE CHAIR

The question recurred on the passage of HB 1199. The vote was:

Session Vote Sequence: 1080

Speaker Bense in the Chair.

Yeas—95

Adams	Culp	Hukill	Planas
Allen	Cusack	Johnson	Poppell
Altman	Davis, D.	Jordan	Porth
Ambler	Dean	Joyner	Proctor
Arza	Domino	Justice	Quinones
Attkisson	Farkas	Kottkamp	Reagan
Barreiro	Fields	Kreegel	Rice
Baxley	Galvano	Kyle	Rivera
Bean	Gannon	Legg	Robaina
Bendross-Mindingall	Gardiner	Littlefield	Ross
Bense	Gelber	Llorente	Rubio
Berfield	Gibson, A.	Lopez-Cantera	Sansom
Bilirakis	Gibson, H.	Machek	Seiler
Bogdanoff	Glorioso	Mahon	Simmons
Bowen	Goldstein	Mayfield	Slosberg
Brandenburg	Gottlieb	McInvale	Sorensen
Brown	Grant	Meadows	Stansel
Brummer	Greenstein	Mealor	Stargel
Bullard	Harrell	Murzin	Taylor
Cannon	Hasner	Needelman	Traviesa
Carroll	Hays	Negron	Vana
Clarke	Henriquez	Patterson	Waters
Coley	Holloway	Peterman	Williams
Cretul	Homan	Pickens	

Nays—21

Anderson	Davis, M.	Richardson	Sobel
Antone	Garcia	Roberson	Troutman
Ausley	Goodlette	Russell	Zapata
Benson	Jennings	Ryan	
Brutus	Kendrick	Sands	
Bucher	Kravitz	Smith	

Votes after roll call:

Yeas—Evers, Flores

Yeas to Nays—Kyle

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

SB 266—A bill to be entitled An act relating to athletic trainers; amending s. 468.707, F.S.; revising the requirements for licensure as an athletic trainer; amending s. 468.711, F.S.; revising the criteria for continuing education in athletic training; amending s. 468.723, F.S.; providing that a person employed as an apprentice trainer or athletic trainer is not exempt from part XIII of ch. 468, F.S.; amending s. 1012.46, F.S.; deleting the classification of first responder in a school district's athletic injuries prevention and treatment program; requiring that an athletic trainer employed by a school district be licensed as an athletic trainer; deleting a requirement that such person possess certain certification as an educator; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1081

Speaker Bense in the Chair.

Yeas—117

Adams	Ambler	Arza	Barreiro
Allen	Anderson	Attkisson	Baxley
Altman	Antone	Ausley	Bean

Bendross-Mindingall	Flores	Kravitz	Rivera
Bense	Galvano	Kreegel	Robaina
Benson	Gannon	Kyle	Roberson
Berfield	Garcia	Legg	Ross
Bilirakis	Gardiner	Littlefield	Rubio
Bogdanoff	Gelber	Llorente	Russell
Bowen	Gibson, A.	Lopez-Cantera	Ryan
Brandenburg	Gibson, H.	Machek	Sands
Brown	Goldstein	Mahon	Sansom
Brummer	Goodlette	Mayfield	Seiler
Brutus	Gottlieb	McInvale	Simmons
Bucher	Grant	Meadows	Slosberg
Bullard	Greenstein	Mealor	Smith
Cannon	Grimsley	Murzin	Sobel
Carroll	Harrell	Needelman	Sorensen
Clarke	Hasner	Negron	Stansel
Coley	Hays	Patterson	Stargel
Cretul	Henriquez	Peterman	Taylor
Culp	Holloway	Pickens	Traviesa
Cusack	Homan	Planas	Troutman
Davis, D.	Hukill	Poppell	Vana
Davis, M.	Jennings	Porth	Waters
Dean	Jordan	Proctor	Williams
Detert	Joyner	Quinones	Zapata
Domino	Justice	Reagan	
Farkas	Kendrick	Rice	
Fields	Kottkamp	Richardson	

Nays—None

Votes after roll call:

Yeas—Evers, Glorioso

So the bill passed and was immediately certified to the Senate.

SB 692—A bill to be entitled An act relating to tax on sales, use, and other transactions; specifying a period during which the sale of books, clothing, and school supplies is exempt from such tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1082

Speaker Bense in the Chair.

Yeas—118

Adams	Coley	Henriquez	Peterman
Allen	Cretul	Holloway	Pickens
Altman	Culp	Homan	Planas
Ambler	Cusack	Hukill	Poppell
Anderson	Davis, D.	Jennings	Porth
Antone	Davis, M.	Johnson	Proctor
Arza	Dean	Jordan	Quinones
Attkisson	Detert	Joyner	Reagan
Ausley	Domino	Justice	Rice
Barreiro	Farkas	Kendrick	Richardson
Baxley	Fields	Kottkamp	Rivera
Bean	Flores	Kravitz	Robaina
Bendross-Mindingall	Galvano	Kreegel	Roberson
Bense	Gannon	Kyle	Ross
Benson	Garcia	Legg	Rubio
Berfield	Gardiner	Littlefield	Russell
Bilirakis	Gelber	Llorente	Ryan
Bogdanoff	Gibson, A.	Lopez-Cantera	Sands
Bowen	Gibson, H.	Machek	Sansom
Brandenburg	Glorioso	Mahon	Seiler
Brown	Goldstein	Mayfield	Simmons
Brummer	Goodlette	McInvale	Slosberg
Brutus	Grant	Meadows	Smith
Bucher	Greenstein	Mealor	Sobel
Bullard	Grimsley	Murzin	Sorensen
Cannon	Harrell	Needelman	Stansel
Carroll	Hasner	Negron	Stargel
Clarke	Hays	Patterson	Taylor

Traviesa	Vana	Williams
Troutman	Waters	Zapata

Nays—1

Gottlieb

Votes after roll call:

Yeas—Evers

So the bill passed and was immediately certified to the Senate.

SB 704—A bill to be entitled An act relating to automated teller machine transaction charges; creating s. 655.966, F.S.; authorizing the operator of an automated teller machine to charge an access fee or surcharge for transactions using accounts from certain financial institutions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1083

Speaker Bense in the Chair.

Yeas—118

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Baxley	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Bense	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Williams
Coley	Henriquez	Planas	Zapata
Cretul	Holloway	Poppell	
Culp	Homan	Porth	

Nays—2

Bucher Vana

So the bill passed and was immediately certified to the Senate.

CS for SB's 1086 & 1604—A bill to be entitled An act relating to building designations; designating a building located at the University of South Florida St. Petersburg as "H. William Heller Hall"; directing the University of South Florida St. Petersburg to erect suitable markers; designating a building in Lee County as the Joseph P. D'Alessandro Office Complex; directing the Department of Management Services to erect suitable markers; designating the John M. McKay Visitors Pavilion at the John and Mabel Ringling Museum of Art at the Florida State University Center for Cultural Arts; designating the Reubin O'D. Askew Student Life Center, the Sherrill Williams Ragans Hall, the John Thrasher Building, the Mike Martin Field at Dick Howser Stadium, and the JoAnne Graf Softball Field at Florida State

University; authorizing Florida State University to erect markers; designating the Powell Family Structures and Materials Laboratory, the Steinbrenner Band Hall, the Jim and Alexis Pugh Hall, and the L. E. "Red" Larson Dairy Science Building at the University of Florida; directing the University of Florida to erect suitable markers; designating the Kleist Health Education Center, the Herbert J. Sugden Hall, Holmes Hall, and Lutgert Hall at Florida Gulf Coast University; directing Florida Gulf Coast University to erect suitable markers; designating the new alumni center at the Boca Raton campus of Florida Atlantic University as the "Marleen and Harold Forkas Alumni Center"; directing Florida Atlantic University to erect suitable markers; designating the art museum at the University Park campus of Florida International University as the "Patricia and Phillip Frost Art Museum"; directing Florida International University to erect suitable markers; designating the John S. Curran, M.D., Children's Health Center at the University of South Florida; directing the University of South Florida to erect suitable markers; designating the Florida Center for Solid and Hazardous Waste Management as the "William W. 'Bill' Hinkley Center for Solid and Hazardous Waste Management"; directing the Department of Environmental Protection to erect suitable markers; designating the FAMU-FSU College of Engineering Building as the "Herbert F. Morgan Building"; authorizing Florida Agricultural and Mechanical University and Florida State University to erect markers; designating the School of Business and Industry Building at Florida Agricultural and Mechanical University as the "Sybil C. Mobley Business Building"; providing for the erection of markers; designating the Allied Health Building at Florida Agricultural and Mechanical University as the "Margaret W. Lewis/Jacqueline B. Beck Allied Health Building"; providing for the erection of markers; designating the Architecture Building at Florida Agricultural and Mechanical University as the "Walter L. Smith Architecture Building"; providing for the erection of markers; designating the Archives Building at Florida Agricultural and Mechanical University as the "Carrie Meek/James N. Eaton, Sr., Southeastern Regional Black Archives Research Center and Museum"; designating the Multipurpose Classroom Building Number 46 at the University of North Florida as "Hodges Stadium"; authorizing the University of North Florida to erect markers; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1084

Speaker Bense in the Chair.

Yeas—119

Adams	Cretul	Hays	Patterson
Allen	Culp	Henriquez	Peterman
Altman	Cusack	Holloway	Pickens
Ambler	Davis, D.	Homan	Planas
Anderson	Davis, M.	Hukill	Poppell
Antone	Dean	Jennings	Porth
Arza	Detert	Johnson	Proctor
Attkisson	Domino	Jordan	Quinones
Ausley	Evers	Joyner	Reagan
Barreiro	Farkas	Justice	Rice
Baxley	Fields	Kendrick	Richardson
Bean	Flores	Kottkamp	Rivera
Bendross-Mindingall	Galvano	Kravitz	Robaina
Bense	Gannon	Kreegel	Roberson
Benson	Garcia	Kyle	Ross
Berfield	Gardiner	Legg	Rubio
Bilirakis	Gelber	Littlefield	Russell
Bogdanoff	Gibson, A.	Llorente	Ryan
Bowen	Gibson, H.	Lopez-Cantera	Sands
Brandenburg	Glorioso	Machek	Sansom
Brown	Goldstein	Mahon	Seiler
Brummer	Goodlette	Mayfield	Simmons
Brutus	Gottlieb	McInvale	Slosberg
Bucher	Grant	Meadows	Smith
Bullard	Greenstein	Mealor	Sobel
Cannon	Grimsley	Murzin	Sorensen
Clarke	Harrell	Needelman	Stansel
Coley	Hasner	Negron	Stargel

Taylor
TraviesaTroutman
VanaWaters
Williams

Zapata

Robaina
Roberson
Ross
Rubio
RussellRyan
Sands
Sansom
Seiler
SimmonsSobel
Sorensen
Stansel
Stargel
TaylorTraviesa
Troutman
Waters
Williams
Zapata

Nays—None

Nays—9

So the bill passed and was immediately certified to the Senate.

SB 1282—A bill to be entitled An act relating to K-8 virtual schools; establishing the K-8 Virtual School Program within the Department of Education; providing requirements for schools to be eligible to participate in the program; authorizing participating schools to be for-profit or nonprofit entities; providing a procedure by which schools can apply to participate in the program; requiring that the application and approval process be available by a specified time; requiring that instructional personnel have Florida teaching certificates; requiring participating school personnel to undergo certain background screening required by law; requiring education plans to conform to the Sunshine State Standards; requiring school applicants to provide a 3-year financial plan; requiring the department to act on school applications within 90 days; providing for 3-year contracts for approved schools; authorizing contract renewals; designating participating schools as independent schools; requiring participating schools to provide each student with the equipment, materials, and services necessary to receive instruction; authorizing the current virtual school pilot programs to continue operation through the 2006-2007 school year; requiring pilot schools to meet all application requirements in order to operate beyond the 2006-2007 school year; providing eligibility requirements for students; requiring that enrolled students meet the requirements for compulsory attendance; requiring verification of student attendance; requiring enrolled students to participate in the state assessment program; requiring that funding for the program be established annually in the General Appropriations Act; providing a payment schedule to participating schools; requiring schools to participate in the statewide assessment program; requiring that schools be subject to the school grading system; requiring improvement plans for low-performing schools; requiring contract termination for continued low performance; providing causes for nonrenewal or termination of a school contract; requiring nonrenewed or terminated schools to be responsible for debt; authorizing students of a terminated school to attend other public schools; requiring the State Board of Education to adopt rules to administer the program; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1085

Speaker Bense in the Chair.

Yeas—108

Adams	Cannon	Goodlette	Llorente
Allen	Carroll	Grant	Lopez-Cantera
Altman	Clarke	Greenstein	Machek
Ambler	Coley	Grimsley	Mahon
Anderson	Cretul	Harrell	Mayfield
Arza	Culp	Hasner	McInvale
Attkisson	Davis, D.	Hays	Meadows
Ausley	Davis, M.	Henriquez	Mealor
Barreiro	Dean	Holloway	Murzin
Baxley	Detert	Homan	Needelman
Bean	Domino	Hukill	Negron
Bendross-Mindingall	Evers	Jennings	Patterson
Bense	Farkas	Johnson	Peterman
Benson	Fields	Jordan	Pickens
Berfield	Flores	Joyner	Planas
Bilirakis	Galvano	Kendrick	Poppell
Bogdanoff	Garcia	Kottkamp	Porth
Bowen	Gardiner	Kravitz	Proctor
Brown	Gibson, A.	Kreegel	Quinones
Brummer	Gibson, H.	Kyle	Reagan
Brutus	Glorioso	Legg	Rice
Bullard	Goldstein	Littlefield	Rivera

Brandenburg
Bucher
CusackGannon
Gelber
GottliebRichardson
Smith
Vana

Votes after roll call:

Yeas—Justice

Nays—Antone

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1322—A bill to be entitled An act relating to driver's licenses; amending s. 562.11, F.S.; providing an additional penalty for providing alcoholic beverages to a person under the age of 21; creating s. 322.057, F.S.; authorizing a court to withhold issuance of, or suspend or revoke, the driver's license of certain persons who provide alcoholic beverages to persons under the age of 21; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1086

Speaker Bense in the Chair.

Yeas—118

Adams	Culp	Homan	Quinones
Allen	Cusack	Hukill	Reagan
Altman	Davis, D.	Jennings	Rice
Ambler	Davis, M.	Jordan	Richardson
Anderson	Dean	Joyner	Rivera
Antone	Detert	Justice	Robaina
Arza	Domino	Kendrick	Roberson
Attkisson	Evers	Kottkamp	Ross
Ausley	Farkas	Kravitz	Rubio
Barreiro	Fields	Kreegel	Russell
Baxley	Flores	Kyle	Ryan
Bean	Galvano	Legg	Sands
Bendross-Mindingall	Gannon	Littlefield	Sansom
Bense	Garcia	Llorente	Seiler
Benson	Gardiner	Lopez-Cantera	Simmons
Berfield	Gelber	Machek	Slosberg
Bilirakis	Gibson, A.	Mahon	Smith
Bogdanoff	Gibson, H.	Mayfield	Sobel
Bowen	Glorioso	McInvale	Sorensen
Brandenburg	Goldstein	Meadows	Stansel
Brown	Goodlette	Mealor	Stargel
Brummer	Gottlieb	Murzin	Taylor
Brutus	Grant	Needelman	Traviesa
Bucher	Greenstein	Patterson	Troutman
Bullard	Grimsley	Peterman	Vana
Cannon	Harrell	Pickens	Waters
Carroll	Hasner	Planas	Williams
Clarke	Hays	Poppell	Zapata
Coley	Henriquez	Porth	
Cretul	Holloway	Proctor	

Nays—None

Votes after roll call:

Yeas—Negron

So the bill passed and was immediately certified to the Senate.

CS for SB 1506—A bill to be entitled An act relating to insurance; amending ss. 626.9913, 626.99175, 627.836, 651.026, and 651.0261, F.S., relating to viatical settlement providers, premium finance companies, and

continuing care providers; authorizing the Financial Services Commission to require by rule that certain statements or filings be submitted by electronic means in a certain format; amending s. 628.281, F.S.; authorizing the Office of Insurance Regulation to require that certain records or copies be submitted by remote electronic access; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1087

Speaker Bense in the Chair.

Yeas—118

Adams	Culp	Homan	Quinones
Allen	Cusack	Hukill	Reagan
Altman	Davis, D.	Jennings	Rice
Ambler	Davis, M.	Jordan	Richardson
Anderson	Dean	Joyner	Rivera
Antone	Detert	Justice	Robaina
Arza	Domino	Kendrick	Roberson
Attkisson	Evers	Kottkamp	Ross
Ausley	Farkas	Kravitz	Rubio
Barreiro	Fields	Kreegel	Russell
Baxley	Flores	Legg	Ryan
Bean	Galvano	Littlefield	Sands
Bendross-Mindingall	Gannon	Llorente	Sansom
Bense	Garcia	Lopez-Cantera	Seiler
Benson	Gardiner	Machek	Simmons
Berfield	Gelber	Mahon	Slosberg
Bilirakis	Gibson, A.	Mayfield	Smith
Bogdanoff	Gibson, H.	McInvale	Sobel
Bowen	Glorioso	Meadows	Sorensen
Brandenburg	Goldstein	Mealor	Stansel
Brown	Goodlette	Murzin	Stargel
Brummer	Gottlieb	Needelman	Taylor
Brutus	Grant	Negron	Traviesa
Bucher	Greenstein	Patterson	Troutman
Bullard	Grimsley	Peterman	Vana
Cannon	Harrell	Pickens	Waters
Carroll	Hasner	Planas	Williams
Clarke	Hays	Poppell	Zapata
Coley	Henriquez	Porth	
Cretul	Holloway	Proctor	

Nays—None

Votes after roll call:

Yeas—Kyle

So the bill passed, as amended, and was immediately certified to the Senate.

CS for SB 1540—A bill to be entitled An act relating to veterinary drug distribution; amending s. 499.006, F.S.; providing that a drug is adulterated if it is a certain prescription drug that has been returned by a veterinarian to a limited prescription drug veterinary wholesaler; amending s. 499.01, F.S.; requiring a limited prescription drug veterinary wholesaler to obtain a permit for operation from the Department of Health; providing that a permit for a limited prescription drug veterinary wholesaler may not be issued to the address of certain health care entities; amending s. 499.012, F.S.; revising permit requirements for a veterinary prescription drug wholesaler that distributes prescription drugs; establishing a permit for a limited prescription drug veterinary wholesaler; providing requirements; providing an exception; amending s. 499.0122, F.S.; redefining the term "veterinary legend drug retail establishment"; amending s. 499.041, F.S.; requiring the department to assess an annual fee within a certain monetary range for a limited prescription drug veterinary wholesaler permit; amending s. 499.065, F.S.; requiring the department to inspect each limited prescription drug veterinary wholesaler establishment; authorizing the department to determine that a limited prescription drug veterinary wholesaler establishment is an imminent danger to the public; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1088

Speaker Bense in the Chair.

Yeas—117

Adams	Culp	Homan	Reagan
Allen	Cusack	Hukill	Rice
Altman	Davis, D.	Jennings	Richardson
Ambler	Davis, M.	Johnson	Rivera
Anderson	Dean	Jordan	Robaina
Antone	Detert	Joyner	Roberson
Arza	Domino	Justice	Ross
Attkisson	Evers	Kendrick	Rubio
Ausley	Farkas	Kottkamp	Russell
Barreiro	Fields	Kravitz	Ryan
Baxley	Flores	Kyle	Sands
Bean	Galvano	Littlefield	Sansom
Bendross-Mindingall	Gannon	Llorente	Seiler
Bense	Garcia	Machek	Simmons
Benson	Gardiner	Mahon	Slosberg
Berfield	Gelber	Mayfield	Smith
Bilirakis	Gibson, A.	McInvale	Sobel
Bogdanoff	Gibson, H.	Meadows	Sorensen
Bowen	Glorioso	Mealor	Stansel
Brandenburg	Goldstein	Murzin	Stargel
Brown	Goodlette	Needelman	Taylor
Brummer	Gottlieb	Negron	Traviesa
Brutus	Grant	Patterson	Troutman
Bucher	Greenstein	Peterman	Vana
Bullard	Grimsley	Pickens	Waters
Cannon	Harrell	Planas	Williams
Carroll	Hasner	Poppell	Zapata
Clarke	Hays	Porth	
Coley	Henriquez	Proctor	
Cretul	Holloway	Quinones	

Nays—None

Votes after roll call:

Yeas—Kreegel, Lopez-Cantera

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1556—A bill to be entitled An act relating to condominiums; amending s. 718.117, F.S.; substantially revising provisions relating to the termination of the condominium form of ownership of a property; providing legislative findings; providing grounds for termination; providing powers and duties of the board of administration of the association; waiving certain notice requirements following natural disasters; providing requirements for a plan of termination; providing for the allocation of proceeds from the sale of condominium property; providing powers and duties of a termination trustee; providing notice requirements; providing a procedure for contesting a plan of termination; providing rules for the distribution of property and sale proceeds; providing for the association's status following termination; allowing the creation of another condominium by the trustee; specifying an exclusion; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1089

Speaker Bense in the Chair.

Yeas—120

Adams	Antone	Baxley	Berfield
Allen	Arza	Bean	Bilirakis
Altman	Attkisson	Bendross-Mindingall	Bogdanoff
Ambler	Ausley	Bense	Bowen
Anderson	Barreiro	Benson	Brandenburg

Brown	Gelber	Kreegel	Richardson
Brummer	Gibson, A.	Kyle	Rivera
Brutus	Gibson, H.	Legg	Robaina
Bucher	Glorioso	Littlefield	Roberson
Bullard	Goldstein	Llorente	Ross
Cannon	Goodlette	Lopez-Cantera	Rubio
Carroll	Gottlieb	Machek	Russell
Clarke	Grant	Mahon	Ryan
Coley	Greenstein	Mayfield	Sands
Cretul	Grimsley	McInvale	Sansom
Culp	Harrell	Meadows	Seiler
Cusack	Hasner	Mealor	Simmons
Davis, D.	Hays	Murzin	Slosberg
Davis, M.	Henriquez	Needelman	Smith
Dean	Holloway	Negron	Sobel
Detert	Homan	Patterson	Sorensen
Domino	Hukill	Peterman	Stansel
Evers	Jennings	Pickens	Stargel
Farkas	Johnson	Planas	Taylor
Fields	Jordan	Poppell	Traviesa
Flores	Joyner	Porth	Troutman
Galvano	Justice	Proctor	Vana
Gannon	Kendrick	Quinones	Waters
Garcia	Kottkamp	Reagan	Williams
Gardiner	Kravitz	Rice	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 2060—A bill to be entitled An act relating to the practice of architecture and interior design; amending s. 481.203, F.S.; defining the term "responsible supervising control"; amending s. 481.205, F.S.; authorizing the Board of Architecture and Interior Design to adopt certain rules; amending s. 481.223, F.S.; authorizing certain architects to use the title "Architect, Retired"; authorizing certain interior designers to use the title "Interior Designer, Retired"; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1090

Speaker Bense in the Chair.

Yeas—120

Adams	Cretul	Henriquez	Pickens
Allen	Culp	Holloway	Planas
Altman	Cusack	Homan	Poppell
Ambler	Davis, D.	Hukill	Porth
Anderson	Davis, M.	Jennings	Proctor
Antone	Dean	Johnson	Quinones
Arza	Detert	Jordan	Reagan
Attkisson	Domino	Joyner	Rice
Ausley	Evers	Justice	Richardson
Barreiro	Farkas	Kendrick	Rivera
Baxley	Fields	Kottkamp	Robaina
Bean	Flores	Kravitz	Roberson
Bendross-Mindingall	Galvano	Kreegel	Ross
Bense	Gannon	Kyle	Rubio
Benson	Garcia	Legg	Russell
Berfield	Gardiner	Littlefield	Ryan
Bilirakis	Gelber	Llorente	Sands
Bogdanoff	Gibson, A.	Lopez-Cantera	Sansom
Bowen	Gibson, H.	Machek	Seiler
Brandenburg	Glorioso	Mahon	Simmons
Brown	Goldstein	Mayfield	Slosberg
Brummer	Goodlette	McInvale	Smith
Brutus	Gottlieb	Meadows	Sobel
Bucher	Grant	Mealor	Sorensen
Bullard	Greenstein	Murzin	Stansel
Cannon	Grimsley	Needelman	Stargel
Carroll	Harrell	Negron	Taylor
Clarke	Hasner	Patterson	Traviesa
Coley	Hays	Peterman	Troutman

Vana	Waters	Williams	Zapata
------	--------	----------	--------

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 994—A bill to be entitled An act relating to citrus; amending s. 193.461, F.S.; providing that certain lands are classified as agricultural lands for the duration of certain successor programs; amending s. 581.184, F.S.; requiring the Department of Agriculture and Consumer Services to implement a citrus health plan for certain purposes; eliminating the authority of the department to remove and destroy certain citrus trees; deleting definitions and provisions relating to immediate final orders, notice to property owners, rulemaking authority, and the posting of certain orders, to conform; requiring certain law enforcement officers to maintain order under certain circumstances involving the citrus canker disease management process; creating s. 581.1843, F.S.; making it unlawful to propagate certain citrus nursery stock on or after January 1, 2007, at sites and under certain conditions not approved by the department; providing exceptions; providing rulemaking authority; specifying regulation of certain varieties of citrus plants; providing exceptions; requiring the department to establish certain regulated areas around commercial citrus nurseries; providing exceptions; providing for notice to property owners by immediate final order prior to removal of certain citrus trees; providing an appeal process for an immediate final order; providing for preemption to the state to regulate the removal and destruction of certain citrus plants; requiring the department to relocate certain trees to certain locations; amending s. 581.1845, F.S., relating to compensation to homeowners whose trees have been removed; clarifying that such compensation is subject to appropriation; requiring that certain compensation claims be filed by December 31, 2007; providing for the expiration of compensation claims not filed prior to January 1, 2008; amending ss. 120.80, 348.0008, 933.02, and 933.40, F.S.; deleting provisions and cross-references, to conform; providing appropriations; authorizing the department to submit a budget amendment and providing requirements therefor; amending s. 601.15, F.S.; clarifying provisions relating to the excise tax on citrus; establishing maximum rates and providing procedures by which the Florida Citrus Commission may set rates lower than the maximums; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1091

Speaker Bense in the Chair.

Yeas—120

Adams	Brutus	Gardiner	Justice
Allen	Bucher	Gelber	Kendrick
Altman	Bullard	Gibson, A.	Kottkamp
Ambler	Cannon	Gibson, H.	Kravitz
Anderson	Carroll	Glorioso	Kreegel
Antone	Clarke	Goldstein	Kyle
Arza	Coley	Goodlette	Legg
Attkisson	Cretul	Gottlieb	Littlefield
Ausley	Culp	Grant	Llorente
Barreiro	Cusack	Greenstein	Lopez-Cantera
Bendross-Mindingall	Davis, D.	Grimsley	Machek
Bense	Davis, M.	Harrell	Mahon
Benson	Dean	Hasner	Mayfield
Berfield	Detert	Hays	McInvale
Bilirakis	Domino	Henriquez	Meadows
Bogdanoff	Evers	Holloway	Mealor
Bowen	Farkas	Homan	Murzin
Brandenburg	Fields	Hukill	Needelman
Brown	Flores	Jennings	Negron
Brummer	Galvano	Johnson	Patterson
	Gannon	Jordan	Peterman
	Garcia	Joyner	Pickens

Planas	Rivera	Sansom	Stargel	Quinones	Ross	Simmons	Troutman
Poppell	Robaina	Seiler	Taylor	Reagan	Rubio	Sorensen	Waters
Porth	Roberson	Simmons	Traviesa	Rice	Russell	Stansel	Williams
Proctor	Ross	Slosberg	Troutman	Rivera	Sands	Stargel	Zapata
Quinones	Rubio	Smith	Vana	Robaina	Sansom	Taylor	
Reagan	Russell	Sobel	Waters	Roberson	Seiler	Traviesa	
Rice	Ryan	Sorensen	Williams				
Richardson	Sands	Stansel	Zapata				

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 2728—A bill to be entitled An act relating to economic development incentives; amending s. 220.191, F.S.; expanding the definition of qualified project for the Capital Investment Tax Credit; providing alternative credit eligibility criteria; amending s. 288.1088, F.S.; providing eligibility requirements for the receipt of funds from the Quick Action Closing Fund; authorizing the waiver of certain criteria for projects that would significantly benefit the economy; providing additional requirements for Enterprise Florida, Inc., in evaluating proposed projects; requiring that a contract for payment from the Quick Action Closing Fund provide that the payment of moneys is contingent upon a sufficient appropriation of funds by the Legislature and upon the release of appropriated funds by the Legislative Budget Commission; deleting provisions authorizing the Governor to reallocate unencumbered funds in the Quick Action Closing Fund to other economic development programs; creating s. 288.1089, F.S.; creating the Innovation Incentive Program within the Office of Tourism, Trade, and Economic Development for certain purposes; providing definitions; providing an incentive-award limitation; providing for award application and eligibility; providing qualification requirements; providing proposal evaluation and recommendations requirements for Enterprise Florida, Inc.; providing for negotiation of award amounts by the office; providing for agreements for payments of certain moneys under certain circumstances; providing criteria for award approval or disapproval; providing for incentive payment agreements; requiring Enterprise Florida, Inc., to assist the office in validating certain business performances; requiring a report to the Governor and Legislature; authorizing the office to allocate certain funds for certain purposes; amending s. 403.973, F.S.; providing for review of possible sites for projects funded under s. 288.1089, F.S.; providing appropriations; effectuating a fund transfer; providing for future expiration of the act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1092

Speaker Bense in the Chair.

Yeas—98

Adams	Brummer	Garcia	Kravitz
Allen	Brutus	Gardiner	Kreegel
Altman	Bullard	Gibson, H.	Kyle
Ambler	Cannon	Glorioso	Legg
Anderson	Carroll	Goldstein	Littlefield
Antone	Clarke	Goodlette	Llorente
Arza	Coley	Grant	Lopez-Cantera
Attkisson	Cretul	Greenstein	Mahon
Barreiro	Culp	Grimsley	Mayfield
Baxley	Davis, D.	Harrell	McInvale
Bean	Davis, M.	Hasner	Mealor
Bense	Dean	Hays	Murzin
Benson	Detert	Holloway	Needelman
Berfield	Domino	Homan	Negron
Bilirakis	Evers	Hukill	Patterson
Bogdanoff	Farkas	Jennings	Pickens
Bowen	Fields	Johnson	Planas
Brandenburg	Flores	Jordan	Poppell
Brown	Galvano	Kottkamp	Proctor

Nays—21

Bendross-Mindingall	Gottlieb	Meadows	Smith
Bucher	Henriquez	Peterman	Sobel
Cusack	Joyner	Porth	Vana
Gannon	Justice	Richardson	
Gelber	Kendrick	Ryan	
Gibson, A.	Machek	Slosberg	

Votes after roll call:

Nays—Ausley

Nays to Yeas—Joyner

So the bill passed, as amended, and was immediately certified to the Senate.

CS for CS for SB 80—A bill to be entitled An act relating to electronic mail; requiring certain governmental entities to post a notice on their websites that electronic mail addresses sent to them are subject to release to the public; amending s. 668.606, F.S.; providing an exemption from criminal liability for certain carriers whose equipment transmits commercial electronic mail messages that violate s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; amending s. 668.6075, F.S., and renumbering and amending subsection (2) thereof as s. 668.610, F.S.; providing that remedies and penalties under the Electronic Mail Communications Act are cumulative; creating s. 668.608, F.S.; providing criminal penalties for violations of s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; providing applicability; creating part IV of ch. 668, F.S.; providing a short title; providing definitions; prohibiting certain acts relating to fraudulent use or possession of identifying information; authorizing civil actions for violations; providing for injunctive relief and damages; authorizing courts to increase awards of actual damages under certain circumstances; providing for recovery of attorney's fees and court costs; providing for jurisdiction and venue; providing for deposit of certain moneys received by the Attorney General into the Legal Affairs Revolving Trust Fund; authorizing the Department of Legal Affairs to adopt rules; providing for nonapplication to certain entities' good faith handling of identifying information; specifying the absence of liability for certain actions taken to prevent certain violations; providing an effective date.

—was read the third time by title.

Remarks

The Speaker recognized Rep. Bilirakis, who gave brief farewell remarks.

The question recurred on the passage of CS for CS for SB 80. The vote was:

Session Vote Sequence: 1093

Speaker Bense in the Chair.

Yeas—120

Adams	Antone	Baxley	Berfield
Allen	Arza	Bean	Bilirakis
Altman	Attkisson	Bendross-Mindingall	Bogdanoff
Ambler	Ausley	Bense	Bowen
Anderson	Barreiro	Benson	Brandenburg

Brown	Gelber	Kreegel	Richardson
Brummer	Gibson, A.	Kyle	Rivera
Brutus	Gibson, H.	Legg	Robaina
Bucher	Glorioso	Littlefield	Roberson
Bullard	Goldstein	Llorente	Ross
Cannon	Goodlette	Lopez-Cantera	Rubio
Carroll	Gottlieb	Machek	Russell
Clarke	Grant	Mahon	Ryan
Coley	Greenstein	Mayfield	Sands
Cretul	Grimsley	McInvale	Sansom
Culp	Harrell	Meadows	Seiler
Cusack	Hasner	Mealor	Simmons
Davis, D.	Hays	Murzin	Slosberg
Davis, M.	Henriquez	Needelman	Smith
Dean	Holloway	Negron	Sobel
Detert	Homan	Patterson	Sorensen
Domino	Hukill	Peterman	Stansel
Evers	Jennings	Pickens	Stargel
Farkas	Johnson	Planas	Taylor
Fields	Jordan	Poppell	Traviesa
Flores	Joyner	Porth	Troutman
Galvano	Justice	Proctor	Vana
Gannon	Kendrick	Quinones	Waters
Garcia	Kottkamp	Reagan	Williams
Gardiner	Kravitz	Rice	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

SB 370—A bill to be entitled An act relating to health professionals treating speech or hearing disorders; amending s. 468.1155, F.S.; revising requirements for the Department of Health in issuing a provisional license to practice speech-language pathology or audiology; revising licensing requirements for applicants who graduated, or who are currently enrolled, in a speech-language pathology or audiology program at a university located outside of the United States or Canada; authorizing the Board of Speech-Language Pathology and Audiology to waive certain requirements for applicants who received professional education in another country under certain circumstances; amending s. 468.1165, F.S.; revising requirements for applicants to obtain professional employment in order to be licensed by the department to practice speech-language pathology or audiology; amending s. 468.1185, F.S.; revising requirements for the department to issue a license to an applicant to practice speech-language pathology or audiology; amending s. 468.1215, F.S.; revising requirements for a person to be certified as an audiology assistant; requiring an audiologist or speech-language pathologist to give an assistant a board-approved plan for training and to maintain responsibility for services performed by the assistant; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1094

Speaker Bense in the Chair.

Yeas—119

Adams	Benson	Coley	Gannon
Allen	Berfield	Cretul	Garcia
Altman	Bilirakis	Culp	Gardiner
Ambler	Bogdanoff	Cusack	Gelber
Anderson	Bowen	Davis, D.	Gibson, A.
Antone	Brandenburg	Davis, M.	Gibson, H.
Arza	Brown	Dean	Glorioso
Attkisson	Brummer	Detert	Goldstein
Ausley	Brutus	Domino	Goodlette
Barreiro	Bucher	Evers	Gottlieb
Baxley	Bullard	Farkas	Grant
Bean	Cannon	Fields	Greenstein
Bendross-Mindingall	Carroll	Flores	Grimsley
Bense	Clarke	Galvano	Harrell

Hasner	Legg	Planas	Sansom
Hays	Littlefield	Poppell	Seiler
Henriquez	Llorente	Porth	Simmons
Holloway	Lopez-Cantera	Proctor	Slosberg
Homan	Machek	Quinones	Smith
Hukill	Mahon	Reagan	Sobel
Jennings	Mayfield	Rice	Sorensen
Johnson	McInvale	Richardson	Stargel
Jordan	Meadows	Rivera	Taylor
Joyner	Mealor	Robaina	Traviesa
Justice	Murzin	Roberson	Troutman
Kendrick	Needelman	Ross	Vana
Kottkamp	Negron	Rubio	Waters
Kravitz	Smith	Russell	Williams
Kreegel	Patterson	Ryan	Zapata
Kyle	Peterman	Sands	
	Pickens		

Nays—None

Votes after roll call:

Yeas—Stansel

So the bill passed and was immediately certified to the Senate.

SB 152—A bill to be entitled An act relating to assessments by the property appraiser; amending s. 193.023, F.S.; revising property appraisers' authority for inspecting real property for assessment purposes in addition to physical inspections; reducing the required frequency of physical inspections; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1095

Speaker Bense in the Chair.

Yeas—119

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Sands
Bense	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Traviesa
Bullard	Grimsley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Williams
Coley	Henriquez	Planas	Zapata
Cretul	Holloway	Poppell	

Nays—1

Ryan

So the bill passed and was immediately certified to the Senate.

CS for SB 730—A bill to be entitled An act relating to accessories to a crime; providing a short title; amending s. 777.03, F.S.; limiting the provision that exempts certain members of an offender's family from being charged with the offense of acting as an accessory after the fact to circumstances involving third-degree felony offenses; specifying additional actions that constitute being an accessory after the fact, for which penalties are provided; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1096

Speaker Bense in the Chair.

Yeas—117

Adams	Culp	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Jennings	Reagan
Ambler	Davis, M.	Johnson	Rice
Anderson	Dean	Jordan	Richardson
Antone	Detert	Joyner	Rivera
Arza	Domino	Justice	Robaina
Attkisson	Evers	Kendrick	Roberson
Ausley	Farkas	Kottkamp	Ross
Barreiro	Fields	Kravitz	Rubio
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, A.	Mahon	Slosberg
Bogdanoff	Gibson, H.	Mayfield	Smith
Bowen	Glorioso	McInvale	Sorensen
Brandenburg	Goldstein	Meadows	Stansel
Brown	Goodlette	Mealor	Stargel
Brummer	Gottlieb	Murzin	Taylor
Brutus	Grant	Needelman	Traviesa
Bucher	Greenstein	Negron	Troutman
Bullard	Grimsley	Patterson	Vana
Cannon	Harrell	Peterman	Williams
Carroll	Hasner	Pickens	Zapata
Clarke	Hays	Planas	
Coley	Henriquez	Poppell	
Cretul	Holloway	Porth	

Nays—None

Votes after roll call:

Yeas—Kyle, Sobel, Waters

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 428—A bill to be entitled An act relating to per diem and travel expenses; amending s. 112.061, F.S.; revising per diem, subsistence, and mileage rates for purposes of reimbursement of travel expenses of public officers, employees, and authorized persons; providing an appropriation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1097

Speaker Bense in the Chair.

Yeas—115

Adams	Attkisson	Bense	Brown
Allen	Ausley	Benson	Brummer
Altman	Barreiro	Berfield	Brutus
Ambler	Baxley	Bogdanoff	Bucher
Antone	Bean	Bowen	Bullard
Arza	Bendross-Mindingall	Brandenburg	Cannon

Carroll	Goodlette	Littlefield	Rivera
Clarke	Gottlieb	Llorente	Robaina
Coley	Grant	Lopez-Cantera	Roberson
Cretul	Greenstein	Machek	Ross
Culp	Grimsley	Mahon	Rubio
Cusack	Harrell	Mayfield	Russell
Davis, D.	Hasner	McInvale	Ryan
Davis, M.	Hays	Meadows	Sands
Dean	Henriquez	Mealor	Sansom
Detert	Holloway	Murzin	Seiler
Domino	Homan	Needelman	Simmons
Evers	Hukill	Negron	Slosberg
Farkas	Jennings	Patterson	Smith
Fields	Johnson	Peterman	Sobel
Flores	Jordan	Pickens	Stansel
Galvano	Joyner	Planas	Stargel
Gannon	Justice	Poppell	Taylor
Garcia	Kendrick	Porth	Traviesa
Gardiner	Kottkamp	Proctor	Troutman
Gelber	Kravitz	Quinones	Vana
Gibson, A.	Kreegel	Reagan	Williams
Gibson, H.	Kyle	Rice	Zapata
Goldstein	Legg	Richardson	

Nays—None

Votes after roll call:

Yeas—Anderson, Glorioso, Sorensen, Waters

So the bill passed and was immediately certified to the Senate.

CS for SB 792—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 213.053, F.S., relating to an exemption from public-records requirements for information contained in returns, accounts, or declarations received by the Department of Revenue pursuant to ch. 202, F.S.; making organizational and grammatical changes; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; amending ss. 202.37, 206.27, 409.2577, 607.0130, 608.703, 617.01301, and 896.102, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1098

Speaker Bense in the Chair.

Yeas—117

Adams	Clarke	Harrell	Needelman
Allen	Coley	Hasner	Negron
Altman	Cretul	Henriquez	Patterson
Ambler	Culp	Holloway	Peterman
Anderson	Cusack	Homan	Pickens
Antone	Davis, D.	Hukill	Planas
Arza	Davis, M.	Jennings	Poppell
Attkisson	Dean	Johnson	Porth
Ausley	Detert	Jordan	Proctor
Barreiro	Domino	Joyner	Quinones
Baxley	Evers	Justice	Reagan
Bean	Farkas	Kendrick	Rice
Bendross-Mindingall	Fields	Kottkamp	Richardson
Bense	Flores	Kravitz	Rivera
Benson	Galvano	Kreegel	Robaina
Berfield	Gannon	Kyle	Roberson
Bilirakis	Garcia	Legg	Ross
Bogdanoff	Gardiner	Littlefield	Rubio
Bowen	Gelber	Llorente	Russell
Brandenburg	Gibson, A.	Lopez-Cantera	Ryan
Brown	Gibson, H.	Machek	Sands
Brummer	Glorioso	Mahon	Sansom
Brutus	Goldstein	Mayfield	Seiler
Bucher	Goodlette	McInvale	Simmons
Bullard	Gottlieb	Meadows	Slosberg
Cannon	Grant	Mealor	Smith
Carroll	Greenstein	Murzin	Sobel

Sorensen	Traviesa	Waters
Stargel	Troutman	Williams
Taylor	Vana	Zapata

Nays—None

Votes after roll call:

Yeas—Grimsley, Hays, Stansel

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1090—A bill to be entitled An act relating to the regulation of wells; amending s. 373.323, F.S.; authorizing licensed water well contractors to facilitate performance of additional work incidental to the construction, repair, or abandonment of a water well; amending s. 373.324, F.S.; requiring the Department of Environmental Protection to include an administrative fee in its license-renewal method prescribed by rule; waiving continuing education requirements for license renewal of certain water well contractors; providing exemptions from continuing education requirements for water well contractors on active military duty and their spouses; amending s. 373.333, F.S.; increasing the amount of the administrative fine a water management district may impose for certain water well contracting violations; allowing the water management district to impose an administrative fine against unlicensed water well contractors; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1099

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 1172—A bill to be entitled An act relating to public food service establishments; providing a short title; providing legislative findings and

intent; creating s. 509.233, F.S.; creating a pilot program that authorizes local governments to adopt an ordinance establishing a local exemption to certain provisions of general law and agency rules relating to public food service establishments in order to permit patrons' dogs at certain designated outdoor portions of such establishments; providing for implementation and enforcement procedures; providing for state assistance; providing for future review and repeal; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1100

Speaker Bense in the Chair.

Yeas—100

Adams	Culp	Holloway	Quinones
Allen	Cusack	Homan	Reagan
Altman	Davis, M.	Johnson	Rice
Ambler	Dean	Jordan	Richardson
Anderson	Detert	Justice	Rivera
Antone	Domino	Kendrick	Robaina
Arza	Evers	Kottkamp	Roberson
Attkisson	Farkas	Kreegel	Ross
Ausley	Fields	Kyle	Rubio
Barreiro	Flores	Littlefield	Russell
Baxley	Galvano	Llorente	Ryan
Bense	Garcia	Lopez-Cantera	Sands
Benson	Gardiner	Machek	Sansom
Berfield	Gibson, H.	Mahon	Seiler
Bilirakis	Glorioso	Mayfield	Simmons
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Sorensen
Brutus	Grant	Murzin	Stansel
Bullard	Greenstein	Needelman	Taylor
Cannon	Grimsley	Patterson	Traviesa
Carroll	Harrell	Pickens	Troutman
Clarke	Hasner	Planas	Vana
Coley	Hays	Poppell	Waters
Cretul	Henriquez	Porth	Zapata

Nays—19

Bean	Davis, D.	Jennings	Proctor
Bendross-Mindingall	Gannon	Joyner	Slosberg
Bogdanoff	Gelber	Kravitz	Stargel
Brummer	Gibson, A.	Legg	Williams
Bucher	Hukill	Peterman	

Votes after roll call:

Yeas to Nays—Mayfield, Pickens, Taylor

So the bill passed and was immediately certified to the Senate.

SB 1284—A bill to be entitled An act relating to nursing home consumer information; amending s. 400.191, F.S.; authorizing the Agency for Health Care Administration to provide electronic access to inspection reports from nursing homes in lieu of sending copies of the reports; requiring the agency to provide certain information to consumers; decreasing the number of months for which reported information must be provided to consumers; deleting references to the Online Survey Certification and Reporting system; requiring the agency to publish a Nursing Home Guide Watch List in the Nursing Home Guide; requiring that the watch list include certain days when a facility had a conditional license; requiring the agency to post a copy of the Nursing Home Guide on its website; requiring each nursing home facility to submit certain information to the agency electronically; providing an effective date.

—was read the third time by title.

Representative(s) Benson offered the following:

(Amendment Bar Code: 687223)

Amendment 2 (with title amendment)—On page 1, between line(s) 24 and 25, insert:

Section 1. Subsection (1) and paragraph (b) of subsection (2) of section 402.164, Florida Statutes, are amended to read:

402.164 Legislative intent; definitions.--

(1)(a) It is the intent of the Legislature to use citizen volunteers as members of the Florida Statewide Advocacy Council and the Florida local advocacy councils, and to have volunteers operate a network of councils that shall, without interference by an executive agency, undertake to discover, monitor, investigate, and determine the presence of conditions or individuals that constitute a threat to the rights, health, safety, or welfare of persons who receive services from state agencies.

(b) It is the further intent of the Legislature that the monitoring and investigation shall safeguard the health, safety, and welfare of consumers of services provided by these state agencies.

(c) It is the further intent of the Legislature that state agencies cooperate with the councils in forming interagency agreements to provide the councils with authorized client records so that the councils may monitor services and investigate claims.

(2) As used in ss. 402.164-402.167, the term:

(b) "Client" means a client of the Agency for Persons with Disabilities, the Agency for Health Care Administration, the Department of Children and Family Services, or the Department of Elderly Affairs, as defined in s. 393.063, s. 394.67, s. 397.311, or s. 400.960, a forensic client or client as defined in s. 916.106, a child or youth as defined in s. 39.01, a child as defined in s. 827.01, a family as defined in s. 414.0252, a participant as defined in s. 400.551, a resident as defined in s. 400.402, a Medicaid recipient or recipient as defined in s. 409.901, a child receiving child care as defined in s. 402.302, a disabled adult as defined in s. 410.032 or s. 410.603, or a victim as defined in s. 39.01 or s. 415.102 as each definition applies within its respective chapter.

Section 2. Subsections (2), (5), and (7) and paragraph (a) of subsection (8) of section 402.165, Florida Statutes, are amended to read:

402.165 Florida Statewide Advocacy Council; confidential records and meetings.--

(2) Members of the statewide council shall be appointed to serve terms of 4 years, subject to termination at the pleasure of the Governor prior to expiration of such period. A member may not serve more than two full consecutive terms.

(5)(a) Members of the statewide council shall receive no compensation, but are entitled to be reimbursed for per diem and travel expenses in accordance with s. 112.061.

(b) The Governor shall select an executive director who shall serve at the pleasure of the Governor and shall perform the duties delegated to him or her by the council. The compensation of the executive director and staff shall be established in accordance with the rules of the Selected Exempt Service. The Governor shall give priority consideration in the selection of an executive director to an individual with professional expertise in research design, statistical analysis, or agency evaluation and analysis.

(c) The council may apply for, receive, and accept grants, gifts, donations, bequests, and other payments including money or property, real or personal, tangible or intangible, and service from any governmental or other public or private entity or person and make arrangements as to the use of same.

(d) The statewide council shall annually prepare a budget request that, after it is approved by the council, shall be submitted to the Governor. The budget shall include a request for funds to carry out the activities of the statewide council and the local councils.

(7) The responsibilities of the statewide council include, but are not limited to:

(a) Serving as an independent third-party mechanism for protecting the constitutional and human rights of clients within programs or facilities operated, funded, or contracted by any state agency that provides client services.

(b) Monitoring, by site visit and through access to records, the delivery and use of services, programs, or facilities operated, funded, or contracted by any state agency that provides client services, for the purpose of preventing abuse or deprivation of the constitutional and human rights of clients. The statewide council may conduct an unannounced site visit or monitoring visit that

involves the inspection of records if the visit is conditioned upon a complaint. A complaint may be generated by the council itself, after consulting with the Governor's office, if information from any state agency that provides client services or from other sources indicates a situation at the program or facility that indicates possible abuse or neglect or deprivation of the constitutional and human rights of clients. The statewide council shall establish and follow uniform criteria for the review of information and generation of complaints. The statewide council shall develop a written protocol for all complaints it generates to provide the Governor's office with information including the nature of the abuse or neglect, the agencies involved, the populations or numbers of individuals affected, the types of records necessary to complete the investigation, and a strategy for approaching the problem. Routine program monitoring and reviews that do not require an examination of records may be made unannounced.

(c) Receiving, investigating, and resolving reports of abuse or deprivation of constitutional and human rights referred to the statewide council by a local council. If a matter constitutes a threat to the life, safety, or health of clients or is multiservice-area in scope, the statewide council may exercise its powers without the necessity of a referral from a local council.

(d) Reviewing existing programs or services and new or revised programs of the state agencies that provide client services and making recommendations as to how the rights of clients are affected.

(e) Submitting an annual report to the Legislature, no later than December 30 of each calendar year, concerning activities, recommendations, and complaints reviewed or developed by the council during the year.

(f) Conducting meetings at least once ~~six times~~ a year at the call of the chair and at other times at the call of the Governor or by written request of eight ~~six~~ members of the council, including the executive director.

(g) Developing and adopting uniform procedures to be used to carry out the purpose and responsibilities of the statewide council and the local councils.

(h) Supervising the operations of the local councils and monitoring the performance and activities of all local councils and providing technical assistance to members of local councils.

(i) Providing for the development and presentation of a standardized training program for members of local councils.

(j) Developing and maintaining interagency agreements between the council and the state agencies providing client services. The interagency agreements shall address the coordination of efforts and identify the roles and responsibilities of the statewide and local councils and each agency in fulfillment of their responsibilities, including access to records. The interagency agreements shall explicitly define a process that the statewide and local councils shall use to request records from the agency and shall define a process for appeal when disputes about access to records arise between agency staff and council members. Interagency agreements shall be renewed annually and shall be completed and reported to the Governor no later than February 1.

(8)(a) In the performance of its duties, the statewide council shall have:

1. Authority to receive, investigate, seek to conciliate, hold hearings on, and act on complaints that allege any abuse or deprivation of constitutional or human rights of persons who receive client services from any state agency.

2. Access to all client records, files, and reports from any program, service, or facility that is operated, funded, or contracted by any state agency that provides client services and any records that are material to its investigation and are in the custody of any other agency or department of government. The council's investigation or monitoring shall not impede or obstruct matters under investigation by law enforcement agencies or judicial authorities. Access shall not be granted if a specific procedure or prohibition for reviewing records is required by federal law and regulation that supersedes state law. Access shall not be granted to the records of a private licensed practitioner who is providing services outside the state agency, or outside a state facility, and whose client is competent and refuses disclosure.

3. Standing to petition the circuit court for access to client records that are confidential as specified by law. The petition shall be filed with notice and opportunity to be heard by the state agency and shall state the specific reasons for which the council is seeking access and the intended use of such information. The circuit court may authorize council access to the records upon a finding that access is directly related to an investigation regarding the

possible deprivation of constitutional or human rights or the abuse of a client. Original client files, agency records, and reports may not be removed from a state agency, but copies must be provided to the council and the local councils at the agency's expense. Under no circumstance shall the council have access to confidential adoption records once the adoption is finalized by a court in accordance with ss. 39.0132, 63.022, and 63.162. Upon completion of a general investigation of practices and procedures of a state agency, the statewide council shall report its findings to that agency.

===== TITLE AMENDMENT =====

On page 1, remove line(s) 2 and 3 and insert:

An act relating to health and human services; amending s. 402.164, F.S.; establishing legislative intent for the statewide and local advocacy councils; revising a definition; amending s. 402.165, F.S.; providing for termination of members of the statewide council; providing guidelines for selection of the executive director of the Florida Statewide Advocacy Council; establishing a process for investigating reports of abuse; revising council meeting requirements; providing requirements for interagency agreements; requiring interagency agreements to be renewed annually and submitted to the Governor by a specified date; providing additional requirements for the statewide council to petition the circuit court for access to certain records; amending s. 400.191, F.S.;

Rep. Benson moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative(s) H. Gibson offered the following:

(Amendment Bar Code: 208021)

Amendment 3—On page 4, line(s) 19-30, remove: all of said lines

and insert:

1. A section entitled "Have you considered programs that provide alternatives to nursing home care?" which shall be the first section of the Nursing Home Guide and which shall prominently display information about available alternatives to nursing homes and how to obtain additional information regarding these alternatives. The Nursing Home Guide shall explain that this state offers alternative programs that permit qualified elderly persons to stay in their homes instead of being placed in nursing homes and shall encourage interested persons to call the Comprehensive Assessment Review and Evaluation for Long-Term Care Services (CARES) Program to inquire if they qualify. The Nursing Home Guide shall list available home and community-based programs which shall clearly state the services that are provided and indicate whether nursing home services are included if needed.

Rep. H. Gibson moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of SB 1284. The vote was:

Session Vote Sequence: 1101

Speaker Bense in the Chair.

Yeas—120

Adams	Bean	Brutus	Davis, M.
Allen	Bendross-Mindingall	Bucher	Dean
Altman	Bense	Bullard	Detert
Ambler	Benson	Cannon	Domino
Anderson	Berfield	Carroll	Evers
Antone	Bilirakis	Clarke	Farkas
Arza	Bogdanoff	Coley	Fields
Attkisson	Bowen	Cretul	Flores
Ausley	Brandenburg	Culp	Galvano
Barreiro	Brown	Cusack	Gannon
Baxley	Brummer	Davis, D.	Garcia

Gardiner	Johnson	Murzin	Russell
Gelber	Jordan	Needelman	Ryan
Gibson, A.	Joyner	Negron	Sands
Gibson, H.	Justice	Patterson	Sansom
Glorioso	Kendrick	Peterman	Seiler
Goldstein	Kottkamp	Pickens	Simmons
Goodlette	Kravitz	Planas	Slosberg
Gottlieb	Kreegel	Poppell	Smith
Grant	Kyle	Porth	Sobel
Greenstein	Legg	Proctor	Sorensen
Grimsley	Littlefield	Quinones	Stansel
Harrell	Llorente	Reagan	Stargel
Hasner	Lopez-Cantera	Rice	Taylor
Hays	Machek	Richardson	Traviesa
Henriquez	Mahon	Rivera	Troutman
Holloway	Mayfield	Robaina	Vana
Homan	McInvale	Roberson	Waters
Hukill	Meadows	Ross	Williams
Jennings	Mealor	Rubio	Zapata

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

CS for SB 1350—A bill to be entitled An act relating to the Department of Transportation; amending s. 215.615, F.S.; revising matching requirements for revenue bonds issued for fixed-guideway transportation systems; amending s. 337.11, F.S.; amending notification requirements for construction contracts; amending s. 337.14, F.S.; providing exemptions from prequalification requirements for certain projects; amending s. 337.18, F.S.; revising requirements for surety bonds for certain construction projects; amending s. 338.161, F.S.; providing that toll agencies may enter into agreements to promote additional uses of the electronic toll collection system; amending s. 338.2275, F.S.; deleting obsolete provisions; revising the maximum amount of bonds that are available for turnpike projects; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1102

Speaker Bense in the Chair.

Yeas—103

Adams	Cretul	Henriquez	Quinones
Allen	Culp	Holloway	Reagan
Altman	Cusack	Jennings	Richardson
Ambler	Davis, D.	Jordan	Rivera
Anderson	Davis, M.	Joyner	Robaina
Antone	Dean	Kendrick	Roberson
Arza	Detert	Kravitz	Rubio
Attkisson	Evers	Kreegel	Russell
Ausley	Fields	Legg	Ryan
Barreiro	Flores	Littlefield	Sands
Baxley	Galvano	Llorente	Sansom
Bean	Gannon	Lopez-Cantera	Seiler
Bendross-Mindingall	Gardiner	Machek	Simmons
Bense	Gelber	Mahon	Slosberg
Bogdanoff	Gibson, A.	Mayfield	Smith
Bowen	Gibson, H.	McInvale	Sobel
Brandenburg	Glorioso	Meadows	Sorensen
Brown	Goldstein	Mealor	Stargel
Brummer	Goodlette	Murzin	Taylor
Brutus	Gottlieb	Needelman	Traviesa
Bucher	Grant	Negron	Troutman
Bullard	Greenstein	Peterman	Vana
Cannon	Grimsley	Pickens	Waters
Carroll	Harrell	Planas	Williams
Clarke	Hasner	Poppell	Zapata
Coley	Hays	Porth	

Nays—14

Benson	Farkas	Johnson	Proctor
Berfield	Garcia	Kottkamp	Rice
Bilirakis	Homan	Kyle	
Domino	Hukill	Patterson	

Votes after roll call:

Yeas—Ross, Stansel
Yeas to Nays—Cusack, Harrell

So the bill passed, as amended, and was immediately certified to the Senate.

CS for SB 1716—A bill to be entitled An act relating to state planning and budgeting; amending s. 11.90, F.S.; revising the membership of the Legislative Budget Commission; providing for the appointment of presiding officers; revising requirements for meetings and a quorum; revising requirements for appointing the staff of the commission; requiring the commission to review budget amendments recommended by the Governor or Chief Justice; authorizing the commission to perform other duties prescribed by the Legislature; creating s. 11.91, F.S.; creating the Government Efficiency Task Force for the purpose of recommending improvements to governmental operations and cost reductions; providing for the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint its members; requiring that the task force meet at 4-year intervals beginning on a specified date; authorizing the task force to conduct meetings through teleconferences; providing for members to be reimbursed for per diem and travel expenses; requiring the task force to complete its work within 1 year and report to the Legislative Budget Commission, the Governor, and the Chief Justice of the Supreme Court; amending s. 29.0095, F.S.; requiring the legislative appropriations committees to prescribe the format of budget expenditure reports; amending s. 100.371, F.S.; specifying that the Financial Impact Estimating Conference is within the legislative branch of government and under the direction of the President of the Senate and the Speaker of the House of Representatives; revising provisions governing public meetings of the conference; amending s. 216.011, F.S.; redefining the term "consultation" and defining the term "long-range financial outlook" for purposes of state fiscal affairs; creating s. 216.012, F.S.; providing requirements for the long-range financial outlook prepared by the Legislative Budget Commission; requiring state agencies to provide certain information; prescribing authority of the commission with respect to such information; specifying timeframes for the commission in completing the long-range financial outlook; amending s. 216.023, F.S.; clarifying certain requirements for legislative budget instructions; amending s. 216.065, F.S.; requiring that fiscal impact statements be provided to the Legislative Budget Commission in addition to the legislative appropriations committees; requiring that such statements contain information concerning subsequent fiscal years; amending s. 216.162, F.S.; revising the date for the Governor's recommended budget to be furnished to the Legislature; authorizing the presiding officers of the Legislature to approve submission of the Governor's recommended budget at a later date than otherwise required; amending s. 216.178, F.S.; extending the deadline for production of the final budget; providing a contingent effective date.

—was read the third time by title.

Remarks

The Speaker recognized Rep. Farkas, who gave brief farewell remarks.

The question recurred on the passage of CS for SB 1716. The vote was:

Session Vote Sequence: 1103

Speaker Bense in the Chair.

Yeas—118

Adams	Altman	Anderson	Arza
Allen	Ambler	Antone	Attkisson

Ausley	Domino	Joyner	Rice
Barreiro	Evers	Justice	Richardson
Baxley	Farkas	Kendrick	Rivera
Bean	Fields	Kottkamp	Robaina
Bendross-Mindingall	Flores	Kravitz	Roberson
Bense	Galvano	Kreegel	Ross
Benson	Gannon	Kyle	Rubio
Berfield	Garcia	Legg	Russell
Bilirakis	Gardiner	Littlefield	Ryan
Bogdanoff	Gelber	Llorente	Sands
Bowen	Gibson, A.	Lopez-Cantera	Sansom
Brandenburg	Gibson, H.	Machek	Seiler
Brown	Glorioso	Mahon	Simmons
Brummer	Goldstein	Mayfield	Slosberg
Brutus	Goodlette	McInvale	Smith
Bucher	Gottlieb	Meadows	Sobel
Bullard	Grant	Mealor	Sorensen
Cannon	Greenstein	Murzin	Stansel
Carroll	Grimsley	Needelman	Stargel
Clarke	Harrell	Negron	Taylor
Coley	Hasner	Patterson	Traviesa
Cretul	Hays	Peterman	Troutman
Culp	Henriquez	Pickens	Vana
Cusack	Holloway	Planas	Waters
Davis, D.	Homan	Poppell	Williams
Davis, M.	Jennings	Porth	Zapata
Dean	Johnson	Quinones	
Detert	Jordan	Reagan	

Nays—None

Votes after roll call:

Yeas—Hukill, Proctor

So the bill passed and was immediately certified to the Senate.

CS for SB 2548—A bill to be entitled An act relating to state financial matters; amending s. 11.243, F.S.; providing for the moneys collected from the sale of the Florida Statutes or other publications to be deposited in a specified trust fund; amending s. 11.513, F.S.; requiring the Chief Justice of the Supreme Court to develop program monitoring plans; requiring that additional data be included in the plans for monitoring major programs of state agencies and the judicial branch and in the reviews of those programs; providing for the Office of Program Policy Analysis and Government Accountability to review agency and judicial branch performance standards and report to the Governor, the Legislature, and the Legislative Budget Commission; amending s. 17.57, F.S.; expanding the investment authority of the state treasury; amending s. 11.151, F.S.; revising the annual appropriation to a certain legislative contingency fund; amending s. 20.435, F.S.; revising a provision relating to certain undisbursed balances of appropriations from the Biomedical Research Trust Fund; amending s. 29.008, F.S.; requiring that the Department of Financial Services review county expenditure reports in order to determine if county expenditures have increased by a specified percentage for certain court-related functions; requiring that the department notify the Legislature and the respective county if a county fails to meet its funding obligations; providing for the Department of Revenue to withhold revenue-sharing receipts under certain circumstances upon the direction of the Legislature; providing that a county has met its funding obligations in certain circumstances; providing for retroactive application; amending s. 29.0085, F.S.; revising the due date of an annual statement of county revenues and expenditures; amending s. 215.18, F.S.; requiring that the Governor provide prior notice of transfers between certain funds; amending s. 215.3206, F.S.; replacing references to a 6-digit fund code in the Florida Accounting Information Resource Subsystem with a classification scheme consistent with the Department of Financial Services' financial systems; amending s. 215.3208, F.S.; revising references to conform; amending s. 215.35, F.S.; revising a provision relating to the numbering of warrants issued by the Chief Financial Officer; amending s. 215.422, F.S.; replacing a reference to certain vouchers with the terms "invoice" or "invoices"; clarifying that agencies or the judicial branch must record and approve certain invoices by a specified date; revising provisions relating to the Department of Financial Services' approval

of payment of certain invoices; providing that a vendor who does not submit the appropriate federal taxpayer identification documentation to the department will be deemed an error on the part of the vendor; revising references to conform; amending s. 215.97, F.S.; removing a reference to the appropriations act in a provision relating to the purposes of the Florida Single Audit Act; amending s. 216.011, F.S.; revising the definition of "operating capital outlay" and "qualified expenditure category"; defining the terms "incurred obligation" and "salary rate reserve" for purposes of state fiscal affairs, appropriations, and budgets; amending s. 215.97, F.S.; prescribing forms of payment that may be included in certain contracts involving the State University System or the Florida Community College System; repealing s. 216.346, F.S., relating to contracts between state agencies; amending ss. 215.559, 331.368, 443.1316, 1002.32, F.S., to conform to the repeal of s. 216.346, F.S.; repealing s. 255.258, F.S., relating to shared savings financing of energy conservation in state-owned buildings; amending ss. 287.063, 287.064, F.S.; revising requirements for consolidated financing of deferred payment commodity contracts; amending s. 216.013, F.S.; revising requirements for information regarding performance measures to be included in the long-range program plans of state agencies and the judicial branch; revising a provision relating to making adjustments to long-range program plans; amending s. 216.023, F.S.; revising certain requirements for legislative budget requests; deleting a provision requiring agencies to maintain a certain performance accountability system and provide a list of performance measures; deleting a provision relating to adjustments to executive agency performance standards; deleting a provision relating to adjustments to judicial branch performance standards; amending s. 216.134, F.S.; providing for the responsibility of presiding over sessions of consensus estimating conferences; providing for the Governor, the coordinator of the Office of Economic and Demographic Research, the President of the Senate, and the Speaker of the House of Representatives to designate principals; amending s. 216.136, F.S.; deleting provisions providing for the appointment of principals of consensus estimating conferences; revising the duties of certain agencies relating to the Criminal Justice Estimating Conference, the Social Services Estimating Conference, and the Workforce Estimating Conference; amending s. 216.177, F.S.; clarifying the circumstances under which the Executive Office of the Governor and the Chief Justice of the Supreme Court are required to provide notice to the chair and vice chair of the Legislative Budget Commission; amending s. 216.181, F.S.; providing that amendments to certain approved operating budgets are subject to objection procedures; requiring that state agencies submit to the chair and vice chair of the Legislative Budget Commission a plan for allocating any lump-sum appropriation in a budget amendment; creating s. 216.1811, F.S.; providing requirements for the Governor and the Chief Financial Officer relating to certain approved operating budgets for the legislative branch and appropriations made to the legislative branch; amending s. 216.1815, F.S.; revising certain requirements for the performance standards included in an amended operating budget plan and request submitted to the Legislative Budget Commission; creating s. 216.1827, F.S.; requiring that each state agency and the judicial branch maintain a performance accountability system; requiring agencies and the judicial branch to submit specified information to the Executive Office of the Governor and the Legislature or the Office of Program Policy Analysis and Government Accountability for review; providing guidelines for requests to delete or amend existing approved performance measures and standards; specifying authority of the Legislature relating to agency and judicial branch performance measures and standards; amending s. 216.251, F.S.; prohibiting an agency from providing salary increases or pay additives for certain positions without legislative authorization; amending s. 216.292, F.S.; providing that certain transfers between budget entities are subject to objection procedures; clarifying provisions authorizing certain transfers of appropriations from trust funds; providing that requirements of specified provisions relating to appropriations being nontransferable do not apply to legislative branch budgets; amending s. 216.301, F.S.; revising the requirements for undisbursed balances of appropriations; revising a procedure for identifying and paying incurred obligations; clarifying requirements governing unexpended balances of appropriations; removing a provision relating to notification to retain certain balances from legislative budget entities; amending s. 252.37, F.S.; providing

that a transfer of moneys with a budget amendment following a state of emergency is subject to approval by the Legislative Budget Commission; amending s. 273.02, F.S.; revising a definition; requiring the Chief Financial Officer to establish certain requirements by rule relating to the recording and inventory of certain state-owned property; creating s. 273.025, F.S.; requiring the Chief Financial Officer to establish by rule certain requirements relating to the capitalization of certain property; amending s. 273.055, F.S.; revising responsibility for rules relating to maintaining records as to disposition of state-owned tangible personal property; revising a provision relating to use of moneys received from the disposition of state-owned tangible personal property; amending s. 274.02, F.S.; revising a definition; requiring the Chief Financial Officer to establish by rule requirements relating to the recording and inventory of certain property owned by local governments; amending s. 338.2216, F.S.; revising requirements relating to unexpended funds appropriated or provided for the Florida Turnpike Enterprise; amending s. 1011.57, F.S.; revising requirements relating to unexpended funds appropriated to the Florida School for the Deaf and the Blind; repealing s. 215.29, F.S., relating to the classification of Chief Financial Officer's warrants; providing effective dates.

—was read the third time by title.

REPRESENTATIVE RUSSELL IN THE CHAIR

The question recurred on the passage of CS for SB 2548. The vote was:

Session Vote Sequence: 1104

Representative Russell in the Chair.

Yeas—116

Adams	Cusack	Homan	Porth
Allen	Davis, D.	Hukill	Proctor
Altman	Davis, M.	Jennings	Quinones
Ambler	Dean	Johnson	Reagan
Anderson	Detert	Jordan	Rice
Antone	Domino	Joyner	Richardson
Arza	Evers	Justice	Rivera
Attkisson	Farkas	Kendrick	Robaina
Ausley	Fields	Kottkamp	Roberson
Barreiro	Flores	Kravitz	Ross
Baxley	Galvano	Kreegel	Rubio
Bean	Gannon	Kyle	Russell
Bendross-Mindingall	Garcia	Legg	Ryan
Bense	Gardiner	Littlefield	Sands
Benson	Gelber	Llorente	Sansom
Bilirakis	Gibson, A.	Lopez-Cantera	Seiler
Bowen	Gibson, H.	Machek	Simmons
Brandenburg	Glorioso	Mayfield	Slosberg
Brown	Goldstein	McInvale	Smith
Brummer	Goodlette	Meadows	Sobel
Brutus	Gottlieb	Mealor	Sorensen
Bucher	Grant	Murzin	Stansel
Bullard	Greenstein	Needelman	Stargel
Cannon	Grimsley	Negron	Taylor
Carroll	Harrell	Patterson	Traviesa
Clarke	Hasner	Peterman	Troutman
Coley	Hays	Pickens	Vana
Cretul	Henriquez	Planas	Waters
Culp	Holloway	Poppell	Williams

Nays—None

Votes after roll call:

Yeas—Bogdanoff, Mahon, Zapata

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 2518—A bill to be entitled An act relating to procurement of contractual services by a state agency; amending s. 287.057, F.S.; prohibiting a state agency from renewing or amending a contract for

outsourcing under certain conditions; requiring certain qualifications for persons chosen to conduct negotiations during specified procurements; requiring the department to adopt rules governing those qualifications; requiring that a specified statement be included in procurements of commodities and services which prohibits contact between respondents and specified employees of the executive and legislative branches; creating s. 287.0571, F.S.; creating the Florida Efficient Government Act; providing legislative intent; providing that procurements of specified commodities and services are not subject to the act; creating s. 287.05721, F.S.; providing definitions; creating s. 287.0573, F.S.; creating the Council on Efficient Government; providing the purpose and membership of the council; providing duties and responsibilities of the council; requiring the council to review and issue advisory reports on certain state agency procurements; requiring the department to employ adequate number of staff; requiring the Secretary of Management Services to appoint an executive director; requiring state agencies to submit materials required by the council; creating s. 287.0574, F.S.; providing requirements for certain business cases to outsource by a state agency; requiring a state agency to develop a business case that describes and analyzes a contractual services procurement under consideration; providing that the business case is not subject to challenge or protest under the Administrative Procedure Act; providing required components of a business case; providing contract requirements for an outsourcing procurement; amending s. 287.058, F.S.; providing that a contract may not prohibit a contractor from lobbying the executive or legislative branches concerning specified contract issues, within specified time lines; creating s. 287.074, F.S.; requiring that only public officers or employees perform certain functions; prohibiting a contractor from participating in the procurement of contractual services by a state agency; repealing s. 14.203, F.S., relating to the State Council on Competitive Government; providing appropriations; providing that certain state agencies are subject to the act; amending s. 119.071, F.S.; deleting a cross-reference; defining the term "commercial activity" for purposes of a provision authorizing the release of social security numbers; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1105

Representative Russell in the Chair.

Yeas—113

Adams	Davis, D.	Jennings	Quinones
Allen	Davis, M.	Johnson	Reagan
Altman	Dean	Jordan	Rice
Ambler	Detert	Joyner	Richardson
Anderson	Domino	Justice	Rivera
Antone	Evers	Kendrick	Robaina
Arza	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Baxley	Galvano	Legg	Ryan
Bean	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Smith
Bogdanoff	Glorioso	Mayfield	Sobel
Bowen	Goldstein	McInvale	Sorensen
Brandenburg	Goodlette	Meadows	Stansel
Brown	Gottlieb	Mealor	Stargel
Brummer	Grant	Murzin	Taylor
Brutus	Greenstein	Needelman	Traviesa
Bucher	Grimsley	Negron	Troutman
Bullard	Harrell	Patterson	Vana
Cannon	Hasner	Peterman	Waters
Carroll	Hays	Pickens	Williams
Clarke	Henriquez	Planas	Zapata
Coley	Holloway	Poppell	
Cretul	Homan	Porth	
Culp	Hukill	Proctor	

Nays—1

Gibson, A.

Votes after roll call:

Yeas—Attkisson, Bendross-Mindingall, Cusack, Kyle, Russell

So the bill passed, as amended, and was immediately certified to the Senate.

CS for SB 2000—A bill to be entitled An act relating to ethics for public officers and employees; amending s. 104.31, F.S.; prohibiting employees of the state and its political subdivisions from participating in a political campaign; amending s. 112.313, F.S.; prohibiting certain disclosures or use by a former public officer, agency employee, or local government attorney; redefining the term "employee" to include certain other-personal-services employees for certain postemployment activities; clarifying that existing postemployment restrictions apply to certain agency employees; providing an exemption from provisions prohibiting conflicts in employment to a person who, after serving on an advisory board, files a statement with the Commission on Ethics relating to a bid or submission; providing definitions; amending s. 112.3144, F.S.; specifying how assets and liabilities valued in excess of \$1,000 are to be reported by a reporting individual; conforming a cross-reference; amending s. 112.3145, F.S.; requiring that a delinquency notice be sent to certain officeholders by certified mail, return receipt requested; amending s. 112.3147, F.S.; deleting certain provisions relating to reporting the value of assets; amending s. 112.3148, F.S.; providing requirements for persons who have left office or employment as to filing a report relating to gifts; revising certain filing deadlines; amending s. 112.3149, F.S.; requiring that a report of honoraria by a person who left office or employment be filed by a specified date; amending s. 112.317, F.S.; authorizing the commission to recommend a restitution penalty be paid to the agency or the General Revenue Fund; authorizing the Attorney General to recover costs for filing suit to collect penalties and fines; deleting provisions imposing a penalty for the disclosure of information concerning a complaint or an investigation; amending s. 112.3185, F.S.; providing additional standards for state agency employees relating to procurement of goods and services by a state agency; authorizing an employee whose position was eliminated to engage in certain contractual activities; amending s. 112.321, F.S.; prohibiting an individual who qualifies as a lobbyist from serving on the commission; prohibiting a member of the commission from lobbying any state or local governmental entity; providing exceptions for individuals who are members of the commission on July 1, 2006, until the expiration of their current terms; amending s. 11.045, F.S.; redefining the term "expenditure" for purposes of provisions governing lobbying before the Legislature; amending s. 112.3215, F.S.; redefining the term "expenditure" for purposes of provisions governing lobbying before the executive branch or the Constitution Revision Commission; applying requirements concerning lobbying to county officers; defining the term "county officer"; requiring the commission to adopt a rule detailing the grounds for waiving a fine and the procedures when a lobbyist fails to timely file his or her report; requiring automatic suspension of certain lobbyist registrations if the fine is not timely paid; requiring the commission to provide written notice to affected principals when a lobbyist's registration is automatically suspended and reinstated; amending s. 112.322, F.S.; authorizing travel and per diem expenses for certain witnesses; amending s. 914.21, F.S.; redefining the terms "official investigation" and "official proceeding," for purposes of provisions relating to tampering with witnesses, to include an investigation by or proceeding before the Commission on Ethics; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1106

Representative Russell in the Chair.

Yeas—119

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Traviesa
Bullard	Grimsley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Williams
Coley	Henriquez	Planas	Zapata
Cretul	Holloway	Poppell	

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

SB 124—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; providing that a law enforcement agency is not liable for injury, death, or property damage effected or caused by a person fleeing a law enforcement officer under certain circumstances; providing for severability; providing for application; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1107

Representative Russell in the Chair.

Yeas—119

Adams	Carroll	Grant	Mayfield
Allen	Clarke	Greenstein	McInvale
Altman	Coley	Grimsley	Meadows
Ambler	Cretul	Harrell	Mealor
Anderson	Culp	Hasner	Murzin
Antone	Cusack	Hays	Needelman
Arza	Davis, D.	Henriquez	Negron
Attkisson	Davis, M.	Holloway	Patterson
Ausley	Dean	Homan	Peterman
Barreiro	Detert	Hukill	Pickens
Baxley	Domino	Jennings	Planas
Bean	Evers	Johnson	Poppell
Bendross-Mindingall	Farkas	Jordan	Porth
Bense	Fields	Joyner	Proctor
Benson	Flores	Justice	Quinones
Berfield	Galvano	Kendrick	Reagan
Bilirakis	Gannon	Kottkamp	Rice
Bogdanoff	Garcia	Kravitz	Richardson
Bowen	Gardiner	Kreegel	Rivera
Brandenburg	Gelber	Kyle	Robaina
Brown	Gibson, A.	Legg	Roberson
Brummer	Gibson, H.	Littlefield	Ross
Brutus	Glorioso	Llorente	Rubio
Bucher	Goldstein	Lopez-Cantera	Russell
Bullard	Goodlette	Machek	Ryan
Cannon	Gottlieb	Mahon	Sands

Sansom	Sobel	Taylor	Waters
Seiler	Sorensen	Traviesa	Williams
Simmons	Stansel	Troutman	Zapata
Smith	Stargel	Vana	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 460—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; providing for the proceeds from the sale of Police Athletic League license plates to be distributed to the State of Florida Association of Police Athletic/Activities Leagues, Inc.; authorizing the use of a portion of such fees for administrative and promotional cost; amending s. 320.08068, F.S.; revising provisions governing distribution of the proceeds from the sale of motorcycle specialty license plates; revising the amount and permissible uses of the proceeds; requiring that a portion of the proceeds be distributed to the Blind Services Foundation of Florida; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1108

Representative Russell in the Chair.

Yeas—118

Adams	Culp	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Jennings	Reagan
Ambler	Davis, M.	Johnson	Rice
Anderson	Dean	Jordan	Richardson
Antone	Detert	Joyner	Rivera
Arza	Domino	Justice	Robaina
Attkisson	Evers	Kendrick	Roberson
Ausley	Farkas	Kottkamp	Ross
Barreiro	Fields	Kravitz	Rubio
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Kyle	Ryan
Bendross-Mindingall	Gannon	Legg	Sands
Bense	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Smith
Bogdanoff	Gibson, H.	Mahon	Sobel
Bowen	Glorioso	Mayfield	Sorensen
Brandenburg	Goldstein	McInvale	Stansel
Brown	Goodlette	Meadows	Stargel
Brummer	Gottlieb	Mealor	Taylor
Brutus	Grant	Murzin	Traviesa
Bucher	Greenstein	Needelman	Troutman
Bullard	Grimsley	Negron	Vana
Cannon	Harrell	Patterson	Waters
Carroll	Hasner	Peterman	Williams
Clarke	Hays	Planas	Zapata
Coley	Henriquez	Poppell	
Cretul	Holloway	Porth	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1212—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 403.067, F.S., relating to an exemption from public-records requirements provided for individual agricultural records of processes, methods of production, and costs which are not otherwise public records and which are reported to the Department of Agriculture and Consumer Services; saving the exemption from repeal under the Open Government Sunset Review Act; deleting

provisions providing for the repeal of the exemption; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1109

Representative Russell in the Chair.

Yeas—118

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Traviesa
Bullard	Grimsley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Williams
Coley	Henriquez	Planas	Zapata
Cretul	Holloway	Poppell	
Culp	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Baxley

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1286—A bill to be entitled An act relating to substance abuse and mental health services; amending s. 394.655, F.S.; revising the duties of the Florida Substance Abuse and Mental Health Corporation; requiring the corporation to ensure the provision of services that promote recovery and resiliency-based systems of care; requiring that certain members appointed to the corporation be primary consumers of mental health or substance abuse services or family members of primary consumers of such services; defining the term "primary consumer"; delaying the date when provisions establishing the corporation are scheduled to expire; amending s. 394.66, F.S.; revising and providing additional legislative intent with respect to the substance abuse and mental health services provided by the Department of Children and Family Services and its providers; requiring that continuity of care be ensured for persons having a mental illness who are released from a state correctional facility; repealing s. 3 of ch. 2003-279, Laws of Florida; deleting the expiration date of s. 20.19(2)(c) and (4)(b)6. and 8., F.S., relating to the Mental Health and Substance Abuse Program Offices and the appointment of the Assistant Secretary for Substance Abuse and Mental Health and other personnel; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1110

Representative Russell in the Chair.

Yeas—117

Adams	Culp	Homan	Quinones
Allen	Cusack	Hukill	Reagan
Altman	Davis, D.	Jennings	Rice
Ambler	Davis, M.	Johnson	Richardson
Anderson	Dean	Jordan	Rivera
Antone	Detert	Joyner	Robaina
Arza	Domino	Justice	Roberson
Attkisson	Evers	Kendrick	Ross
Ausley	Farkas	Kottkamp	Rubio
Barreiro	Fields	Kravitz	Russell
Baxley	Flores	Legg	Ryan
Bean	Galvano	Littlefield	Sands
Bendross-Mindingall	Gannon	Llorente	Sansom
Bense	Garcia	Lopez-Cantera	Seiler
Benson	Gardiner	Machek	Simmons
Berfield	Gelber	Mahon	Smith
Bilirakis	Gibson, A.	Mayfield	Sobel
Bogdanoff	Gibson, H.	McInvale	Sorensen
Bowen	Glorioso	Meadows	Stansel
Brandenburg	Goldstein	Mealor	Stargel
Brown	Goodlette	Murzin	Taylor
Brummer	Gottlieb	Needelman	Traviesa
Brutus	Grant	Negron	Troutman
Bucher	Greenstein	Patterson	Vana
Bullard	Grimsley	Peterman	Waters
Cannon	Harrell	Pickens	Williams
Carroll	Hasner	Planas	Zapata
Clarke	Hays	Poppell	
Coley	Henriquez	Porth	
Cretul	Holloway	Proctor	

Nays—None

Votes after roll call:

Yeas—Kreegel, Kyle

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1450—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Donate Organs-Pass It On license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1111

Representative Russell in the Chair.

Yeas—114

Adams	Brown	Flores	Holloway
Allen	Brummer	Galvano	Homan
Altman	Brutus	Gannon	Hukill
Ambler	Bullard	Garcia	Jennings
Anderson	Cannon	Gardiner	Johnson
Antone	Carroll	Gelber	Jordan
Arza	Clarke	Gibson, A.	Joyner
Attkisson	Coley	Gibson, H.	Justice
Ausley	Cretul	Glorioso	Kottkamp
Barreiro	Culp	Goldstein	Kravitz
Baxley	Cusack	Goodlette	Kreegel
Bean	Davis, D.	Gottlieb	Legg
Bendross-Mindingall	Davis, M.	Grant	Littlefield
Bense	Dean	Greenstein	Llorente
Berfield	Detert	Grimsley	Lopez-Cantera
Bilirakis	Domino	Harrell	Machek
Bogdanoff	Evers	Hasner	Mahon
Bowen	Farkas	Hays	Mayfield
Brandenburg	Fields	Henriquez	McInvale

Meadows	Porth	Rubio	Stargel
Mealor	Proctor	Sands	Taylor
Murzin	Quinones	Sansom	Traviesa
Needelman	Reagan	Seiler	Troutman
Negron	Rice	Simmons	Vana
Patterson	Richardson	Slosberg	Waters
Peterman	Rivera	Smith	Williams
Pickens	Robaina	Sobel	Zapata
Planas	Roberson	Sorensen	
Poppell	Ross	Stansel	

Nays—2

Bucher Kendrick

Votes after roll call:

Yeas—Kyle, Russell, Ryan

So the bill passed and was immediately certified to the Senate.

SB 1408—A bill to be entitled An act relating to medical records; amending s. 456.057, F.S.; providing definitions; requiring a health care practitioner's employer who is a records owner and a records custodian to comply with specified requirements for confidentiality and disclosure; amending s. 456.42, F.S.; providing requirements for prescriptions of medicinal drugs by health care practitioners which are electronically generated or transmitted; creating s. 456.43, F.S.; regulating electronic prescribing for medicinal drugs; providing restrictions for electronic prescribing software; providing definitions; authorizing electronic prescribing software to show information regarding a payor's formulary under certain circumstances; amending s. 465.025, F.S.; specifying requirements for a prescriber to prevent generic substitution of brand name drugs when a prescription is electronically transmitted or generated; amending s. 381.028, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1112

Representative Russell in the Chair.

Yeas—118

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Robaina
Arza	Evers	Kendrick	Roberson
Attkisson	Farkas	Kottkamp	Ross
Ausley	Fields	Kravitz	Rubio
Barreiro	Flores	Kreegel	Russell
Baxley	Galvano	Kyle	Ryan
Bean	Gannon	Legg	Sands
Bendross-Mindingall	Garcia	Littlefield	Sansom
Bense	Gardiner	Llorente	Seiler
Benson	Gelber	Lopez-Cantera	Simmons
Berfield	Gibson, A.	Machek	Slosberg
Bilirakis	Gibson, H.	Mahon	Smith
Bogdanoff	Glorioso	Mayfield	Sobel
Bowen	Goldstein	McInvale	Sorensen
Brandenburg	Goodlette	Meadows	Stansel
Brown	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Traviesa
Bullard	Grimsley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Williams
Coley	Henriquez	Planas	Zapata
Cretul	Holloway	Poppell	
Culp	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Brummer, Rivera

So the bill passed and was immediately certified to the Senate.

CS for SB 1528—A bill to be entitled An act relating to environmental protection; amending s. 403.413, F.S.; clarifying who is liable for dumping under the Florida Litter Law; amending s. 403.4131, F.S.; deleting the provisions relating to Keep Florida Beautiful, Inc.; providing that certain counties are encouraged to develop a regional approach to coordinating litter control and prevention programs; deleting certain requirements for a litter survey; deleting the provisions relating to the Wildflower Advisory Council; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to the Wildflower Foundation, Inc.; specifying uses of the proceeds; requiring that such proceeds be distributed to the Department of Agriculture and Consumer Services under certain circumstances; amending s. 403.703, F.S.; reordering definitions in alphabetical order; clarifying certain definitions and deleting definitions that are not used; amending s. 403.704, F.S.; deleting certain obsolete provisions relating to the state solid waste management program; amending s. 403.7043, F.S.; deleting certain obsolete and conflicting provisions relating to compost standards; amending s. 403.7045, F.S.; providing that industrial byproducts are not regulated under certain circumstances; conforming a cross-reference; clarifying certain provisions governing dredged material; amending s. 403.7061, F.S.; authorizing the Department of Environmental Protection to initiate rulemaking regarding waste-to-energy facilities; amending s. 403.707, F.S.; clarifying the Department of Environmental Preservation's permit authority; deleting certain obsolete provisions; extending the time period for a public hearing when a local government seeks to exempt certain material from the definition of construction and demolition debris; providing that upon the transfer of ownership or control of a solid waste facility that facility may not operate until the permit is transferred by the Department of Environmental Protection or consent is given to operate by the current permit holder; creating s. 403.7071, F.S.; providing for the management and disposal of storm-generated debris; amending s. 403.708, F.S.; deleting obsolete provisions and clarifying certain provisions governing landfills; amending s. 403.709, F.S.; revising the provisions relating to the distribution of the waste tire fees; amending s. 403.7095, F.S., relating to the solid waste management grant program; conforming a cross-reference; amending s. 403.7125, F.S.; deleting certain definitions that appear elsewhere in law and clarifying certain financial-disclosure provisions; amending s. 403.716, F.S.; deleting certain provisions relating to the training of certain facility operators; amending s. 403.717, F.S.; clarifying the provisions relating to waste tires and the processing of waste tires; transferring, renumbering, and amending s. 403.7221, F.S.; increasing the duration of certain research, development, and demonstration permits; amending s. 403.722, F.S.; clarifying provisions relating to who is required to obtain certain hazardous waste permits; amending s. 403.7226, F.S.; deleting a provision requiring a report that is duplicative of other reports; amending s. 403.724, F.S.; clarifying certain financial-assurance provisions; amending s. 403.7255, F.S.; providing additional requirements regarding the public notification of certain contaminated sites; amending s. 403.726, F.S.; authorizing the Department of Environmental Protection to issue an order to abate certain hazards; amending s. 403.7265, F.S.; deleting provisions relating to the development of a statewide local hazardous waste management plan; requiring a local government to provide matching funds for certain grants; providing that matching funds are not required under certain conditions; repealing s. 403.7075, F.S., relating to the submission of certain plans for solid waste management facilities; repealing s. 403.756, F.S., relating to an annual used-oil report; repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, 403.7893, and

403.7895, F.S., relating to the Statewide Multipurpose Hazardous Waste Facility Siting Act; providing an effective date.

—was read the third time by title.

Reconsideration

On motion by Rep. Sands, by the required two-thirds vote, the House reconsidered the vote by which Amendment 1 on CS for SB 1528 was adopted (shown in the *Journal* on pages 1072-1101, May 2).

Representative Needelman offered the following:

(Amendment Bar Code: 185745)

Amendment 1 to Amendment 1 (with title amendment)—Remove lines 1168-1408 and insert:

Section 12. Section 403.4131, Florida Statutes, is amended to read:

403.4131 Litter control "~~Keep Florida Beautiful, Incorporated~~"; ~~placement of signs.~~--

(1) ~~It is the intent of the Legislature that a coordinated effort of interested businesses, environmental and civic organizations, and state and local agencies of government be developed to plan for and assist in implementing solutions to the litter and solid waste problems in this state and that the state provide financial assistance for the establishment of a nonprofit organization with the name of "Keep Florida Beautiful, Incorporated," which shall be registered, incorporated, and operated in compliance with chapter 617. This nonprofit organization shall coordinate the statewide campaign and operate as the grassroots arm of the state's effort and shall serve as an umbrella organization for volunteer-based community programs. The organization shall be dedicated to helping Florida and its local communities solve solid waste problems, to developing and implementing a sustained litter prevention campaign, and to act as a working public-private partnership in helping to implement the state's Solid Waste Management Act. As part of this effort, Keep Florida Beautiful, Incorporated, in cooperation with the Environmental Education Foundation, shall strive to educate citizens, visitors, and businesses about the important relationship between the state's environment and economy. Keep Florida Beautiful, Incorporated, is encouraged to explore and identify economic incentives to improve environmental initiatives in the area of solid waste management. The membership of the board of directors of this nonprofit organization may include representatives of the following organizations: the Florida League of Cities, the Florida Association of Counties, the Governor's Office, the Florida Chapter of the National Solid Waste Management Association, the Florida Recyclers Association, the Center for Marine Conservation, Chapter of the Sierra Club, the Associated Industries of Florida, the Florida Soft Drink Association, the Florida Petroleum Council, the Retail Grocers Association of Florida, the Florida Retail Federation, the Pulp and Paper Association, the Florida Automobile Dealers Association, the Beer Industries of Florida, the Florida Beer Wholesalers Association, and the Distilled Spirits Wholesalers.~~

(2) ~~As a partner working with government, business, civic, environmental, and other organizations, Keep Florida Beautiful, Incorporated, shall strive to assist the state and its local communities by contracting for the development of a highly visible antilitter campaign that, at a minimum, includes:~~

(a) ~~Coordinating with the Center for Marine Conservation and the Center for Solid and Hazardous Waste Management to identify components of the marine debris and litter stream and groups that habitually litter.~~

(b) ~~Designing appropriate advertising to promote the proper management of solid waste, with emphasis on educating groups that habitually litter.~~

(c) ~~Fostering public awareness and striving to build an environmental ethic in this state through the development of educational programs that result in an understanding and in action on the part of individuals and organizations about the role they must play in preventing litter and protecting Florida's environment.~~

(d) ~~Developing educational programs and materials that promote the proper management of solid waste, including the proper disposal of litter.~~

~~(e) Administering grants provided by the state. Grants authorized under this section shall be subject to normal department audit procedures and review.~~

(1)(3) ~~The Department of Transportation shall establish an "adopt-a-highway" program to allow local organizations to be identified with specific highway cleanup and highway beautification projects authorized under s. 339.2405 and shall coordinate such efforts with Keep Florida Beautiful, Inc. The department shall report to the Governor and the Legislature on the progress achieved and the savings incurred by the "adopt-a-highway" program. The department shall also monitor and report on compliance with provisions of the adopt-a-highway program to ensure that organizations that participate in the program comply with the goals identified by the department.~~

(2)(4) ~~The Department of Transportation shall place signs discouraging litter at all off-ramps of the interstate highway system in the state. The department shall place other highway signs as necessary to discourage littering through use of the antilitter program developed by Keep Florida Beautiful, Incorporated.~~

(3)(5) ~~Each county is encouraged to initiate a litter control and prevention program or to expand upon its existing program. The department shall establish a system of grants for municipalities and counties to implement litter control and prevention programs. In addition to the activities described in subsection (1), such grants shall at a minimum be used for litter cleanup, grassroots educational programs involving litter removal and prevention, and the placement of litter and recycling receptacles. Counties are encouraged to form working public-private partnerships as authorized under this section to implement litter control and prevention programs at the community level. The grants authorized pursuant to this section shall be incorporated as part of the recycling and education grants. Counties that have a population under 100,000 75,000 are encouraged to develop a regional approach to administering and coordinating their litter control and prevention programs.~~

(6) ~~The department may contract with Keep Florida Beautiful, Incorporated, to help carry out the provisions of this section. All contracts authorized under this section are subject to normal department audit procedures and review.~~

(7) ~~In order to establish continuity for the statewide program, those local governments and community programs receiving grants for litter prevention and control must use the official State of Florida litter control or campaign symbol adopted by Keep Florida Beautiful, Incorporated, for use on various receptacles and program material.~~

(8) ~~The Legislature establishes a litter reduction goal of 50 percent reduction from the period January 1, 1994, to January 1, 1997. The method of determination used to measure the reduction in litter is the survey conducted by the Center for Solid and Hazardous Waste Management. The center shall consider existing litter survey methodologies.~~

(9) ~~The Department of Environmental Protection shall contract with the Center for Solid and Hazardous Waste Management for an ongoing annual litter survey, the first of which is to be conducted by January 1, 1994. The center shall appoint a broad-based work group not to exceed seven members to assist in the development and implementation of the survey. Representatives from the university system, business, government, and the environmental community shall be considered by the center to serve on the work group. Final authority on implementing and conducting the survey rests with the center. The first survey is to be designed to serve as a baseline by measuring the amount of current litter and marine debris, and is to include a methodology for measuring the reduction in the amount of litter and marine debris to determine the progress toward the litter reduction goal established in subsection (8). Annually thereafter, additional surveys are to be conducted and must also include a methodology for measuring the reduction in the amount of litter and for determining progress toward the litter reduction goal established in subsection (8).~~

(10)(a) ~~There is created within Keep Florida Beautiful, Inc., the Wildflower Advisory Council, consisting of a maximum of nine members to direct and oversee the expenditure of the Wildflower Account. The Wildflower Advisory Council shall include a representative from the University of Florida Institute of Food and Agricultural Sciences, the Florida Department of Transportation, and the Florida Department of Environmental Protection, the Florida League of Cities, and the Florida Association of Counties. Other members of the committee may include representatives from the Florida~~

~~Federation of Garden Clubs, Inc., Think Beauty Foundation, the Florida Chapter of the American Society of Landscape Architects, Inc., and a representative of the Master Gardener's Program.~~

~~(b) The Wildflower Advisory Council shall develop procedures of operation, research contracts, educational programs, and wildflower planting grants for Florida native wildflowers, plants, and grasses. The council shall also make the final determination of what constitutes acceptable species of wildflowers and other plantings supported by these programs.~~

Section 13. Section 403.41315, Florida Statutes, is amended to read:

403.41315 Comprehensive illegal dumping, litter, and marine debris control and prevention.--

(1) The Legislature finds that a comprehensive illegal dumping, litter, and marine debris control and prevention program is necessary to protect the beauty and the environment of Florida. The Legislature also recognizes that a comprehensive illegal dumping, litter, and marine debris control and prevention program will have a positive effect on the state's economy. The Legislature finds that the state's rapid population growth, the ever-increasing mobility of its population, and the large number of tourists contribute to the need for a comprehensive illegal dumping, litter, and marine debris control and prevention program. The Legislature further finds that the program must be coordinated and capable of having statewide identity and grassroots community support.

(2) The comprehensive illegal dumping, litter, and marine debris control and prevention program at a minimum must include the following:

(a) A ~~local statewide~~ public awareness and educational campaign, ~~coordinated by Keep Florida Beautiful, Incorporated,~~ to educate individuals, government, businesses, and other organizations concerning the role they must assume in preventing and controlling litter.

(b) Enforcement provisions authorized under s. 403.413.

(c) Enforcement officers whose responsibilities include grassroots education along with enforcing litter and illegal dumping violations.

(d) Local illegal dumping, litter, and marine debris control and prevention programs operated at the county level with emphasis placed on grassroots educational programs designed to prevent and remove litter and marine debris.

(e) A statewide adopt-a-highway program as authorized under s. 403.4131.

(f) The highway beautification program authorized under s. 339.2405.

(g) A statewide Adopt-a-Shore program that includes beach, river, and lake shorelines and emphasizes litter and marine debris cleanup and prevention.

(h) The prohibition of balloon releases as authorized under s. 372.995.

(i) The placement of approved identifiable litter and recycling receptacles.

(j) Other educational programs that are implemented at the grassroots level ~~coordinated through Keep Florida Beautiful, Inc.,~~ involving volunteers and community programs that clean up and prevent litter, including Youth Conservation Corps activities.

Section 14. Section 403.4133, Florida Statutes, is amended to read:

403.4133 Adopt-a-Shore Program.--

(1) The Legislature finds that litter and illegal dumping present a threat to the state's wildlife, environment, and shorelines. The Legislature further finds that public awareness and education will assist in preventing litter from being illegally deposited along the state's shorelines.

(2) The Adopt-a-Shore Program shall be created within the Department of Environmental Protection ~~nonprofit organization referred to in s. 403.4131(1), named Keep Florida Beautiful, Incorporated.~~ The program shall be designed to educate the state's citizens and visitors about the importance of litter prevention and shall include approaches and techniques to remove litter from the state's shorelines.

(3) For the purposes of this section, the term "shoreline" includes, but is not limited to, beaches, rivershores, and lakeshores.

Section 15. Subsection (28) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.--

(28) FLORIDA WILDFLOWER LICENSE PLATES.--

(a) The department shall develop a Florida Wildflower license plate as provided in this section. The word "Florida" must appear at the top of the

plate, and the words "State Wildflower" and "coreopsis" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Wildflower Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code ~~Wildflower Account established by Keep Florida Beautiful, Inc., created by s. 403.4134.~~ The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state.

1. The Wildflower Foundation, Inc., shall develop procedures of operation, research contracts, education and marketing programs, and wildflower planting grants for Florida native wildflowers, plants, and grasses.

2. A maximum of 15 +0 percent of the proceeds from the sale of such plates may be used for administrative and marketing costs.

3. In the event the Wildflower Foundation, Inc., ceases to be an active nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, the proceeds from the annual use fee shall be deposited into the General Inspection Trust Fund created within the Department of Agriculture and Consumer Services. Any funds held by the Wildflower Foundation, Inc., must be promptly transferred to the General Inspection Trust Fund. The Department of Agriculture and Consumer Services shall use and administer the proceeds from the use fee in the manner specified in this subsection.

===== TITLE AMENDMENT =====

Remove lines 4551-4564 and insert:

requirements for a litter survey; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to Wildflower Foundation, Inc.; requiring the foundation to develop certain procedures and programs; specifying uses of the proceeds; transferring the balance of such proceeds to the Department of Agriculture and Consumer Services under certain circumstances; amending s. 403.703,

Rep. Needelman moved the adoption of the amendment to the amendment, which was adopted.

Representative Sands offered the following:

(Amendment Bar Code: 377917)

Amendment 2 to Amendment 1 (with title amendment)—Remove lines 4501-4506.

===== TITLE AMENDMENT =====

Remove line 4741 and insert:

providing an

Rep. Sands moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS for SB 1528. The vote was:

Session Vote Sequence: 1113

Representative Russell in the Chair.

Yeas—117

Adams	Arza	Bendross-Mindingall	Bowen
Allen	Attkisson	Bense	Brandenburg
Altman	Ausley	Benson	Brown
Ambler	Barreiro	Berfield	Brunner
Anderson	Baxley	Bilirakis	Brutus
Antone	Bean	Bogdanoff	Bucher

Bullard	Glorioso	Littlefield	Ross
Cannon	Goldstein	Llorente	Rubio
Carroll	Goodlette	Lopez-Cantera	Russell
Clarke	Gottlieb	Machek	Ryan
Coley	Grant	Mahon	Sands
Cretul	Greenstein	Mayfield	Sansom
Culp	Grimsley	Meadows	Seiler
Cusack	Harrell	Mealor	Simmons
Davis, D.	Hasner	Murzin	Slosberg
Davis, M.	Hays	Needelman	Smith
Dean	Henriquez	Patterson	Sobel
Detert	Holloway	Peterson	Sorensen
Domino	Homan	Pickens	Stansel
Evers	Hukill	Planas	Stargel
Farkas	Jennings	Poppell	Taylor
Fields	Johnson	Porth	Traviesa
Flores	Jordan	Proctor	Troutman
Galvano	Joyner	Quinones	Vana
Gannon	Justice	Reagan	Waters
Garcia	Kendrick	Rice	Williams
Gardiner	Kottkamp	Richardson	Zapata
Gelber	Kravitz	Rivera	
Gibson, A.	Kreegel	Robaina	
Gibson, H.	Legg	Roberson	

Nays—None

Votes after roll call:

Yeas—Kyle, McInvale, Negron

So the bill passed, as amended, and was immediately certified to the Senate.

CS for CS for SB 1080—A bill to be entitled An act relating to child protective services; amending s. 39.01, F.S.; revising definitions relating to child protective services; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules for sharing information contained in a child's case plan with the custodian and family services counselor; amending s. 39.013, F.S.; removing provisions relating to continuances; creating s. 39.0136, F.S.; providing for time limitations in child protective cases; providing exceptions; creating s. 39.0137; providing that state laws do not supersede certain federal laws; requiring the Department of Children and Family Services to adopt rules; creating s. 39.0138, F.S.; requiring the department to conduct a criminal history records check of any person being considered as a prospective foster parent; prohibiting a court from placing a child with a person if the person's criminal history records check shows that the person was convicted of certain specified felonies; requiring a person to disclose to the department pending criminal proceedings; providing that a court may review the granting or denial of the placement of a child based upon a criminal offense; providing that the person seeking placement of a child has the burden of setting forth evidence that he or she will not endanger the child if placement is allowed; amending s. 39.201, F.S.; requiring that any person who knows or suspects that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care, must report this information to the central abuse hotline of the Department of Children and Family Services; amending s. 39.301, F.S.; providing that the department may rely upon a previous report to indicate that child abuse has occurred; redefining the term "criminal conduct" to include a child who is known or suspected to be a victim of human trafficking; requiring each child protective investigator to inform the person who is the subject of a child protective investigation that he or she has a duty to report any change in the residence or location of the child to the investigator and that the duty to report continues until the investigation is closed; providing that if the child has moved to a different residence or location, a report may be filed with a law enforcement agency under certain circumstances; amending 39.303, F.S.; conforming provisions to changes made by the act; amending s. 39.402, F.S.; requiring that a shelter hearing order contain specified information relating to the availability of services to prevent removal from the home; amending s. 39.507, F.S.; requiring the court to inquire of the parents whether the parents

have relatives who might be considered as a placement for the child; requiring that the court advise the parents that if they fail to comply with the case plan their parental rights may be terminated; amending s. 39.5085, F.S.; conforming provisions to changes made by the act; correcting cross-references; amending s. 39.521, F.S.; clarifying circumstances under which transferring custody to an adult relative must be considered; amending s. 39.522, F.S.; requiring the court to consider the continuity of the child's placement in the same out-of-home residence as a factor when determining the best interests of the child in a postdisposition proceeding to modify custody; creating s. 39.6011, F.S.; providing procedures for drafting and implementing a case plan; requiring the department to prepare a case plan for each child receiving services from the department; requiring certain face-to-face meetings; creating s. 39.6012, F.S.; providing for case plan tasks and services; providing the content for the case plan; creating s. 39.6013, F.S.; providing for amendments to a case plan; describing the circumstance under which a case plan may be modified; amending s. 39.603, F.S.; requiring that case plans and amendments be approved by the court; amending s. 39.621, F.S.; declaring that time is of the essence for a child in the dependency system; providing prehearing procedures; providing for permanency hearings; directing the court to make certain findings at the permanency hearing; creating s. 39.6221, F.S.; providing for the permanent guardianship for a dependent child; authorizing the court to consider a permanent guardian as a long-term option for a dependent child; requiring a written order; providing for the contents of the permanent guardianship order; creating s. 39.6231, F.S.; providing for placement with a fit and willing relative; requiring the court to specify the reasons to place a child with a relative; providing for the department to supervise the placement for a specified time period; creating s. 39.6241, F.S.; authorizing the court to place a child in another planned permanent living arrangement under certain circumstances; amending s. 39.701, F.S.; requiring that a child's current health and education records be included in the documentation for the judicial review report; requiring the court to conduct a judicial review 6 months after the child was placed in shelter care; creating s. 39.8055, F.S.; requiring the department to file a petition or to join in a petition to terminate parental rights within a specified number of days under certain circumstances; providing exceptions; providing examples of compelling reasons for the department not to file or to join a petition to terminate parental rights; authorizing the court to review the decision by the department for not filing or joining a petition for termination of parental rights; amending s. 39.806, F.S.; authorizing a material breach of the case plan as a ground to terminate parental rights; requiring that the department show, and the court find, the material breach by clear and convincing evidence; amending s. 39.810, F.S.; providing certain factors for the court to consider for the best interest of the child; amending s. 39.811, F.S.; conforming provisions to changes made by the act; amending ss. 39.0015, 39.205, 39.302, 39.828, 63.092, and 419.001, F.S.; correcting cross-references; reenacting s. 39.802(5), F.S., relating to the filing of a petition to terminate parental rights, to incorporate the amendments made to s. 39.806, F.S., in a reference thereto; repealing ss. 39.601, 39.622, 39.623, 39.624, 39.703, and 435.045, F.S., relating to case plan requirements, long-term custody of a dependent child, long-term licensed custody of a dependent child, independent living, the initiation of termination of parental rights proceedings, and background screening of certain persons before a dependent child is placed in their home, respectively; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1114

Representative Russell in the Chair.

Yeas—120

Adams	Arza	Bendross-Mindingall	Bowen
Allen	Attkisson	Bense	Brandenburg
Altman	Ausley	Benson	Brown
Ambler	Barreiro	Berfield	Brummer
Anderson	Baxley	Bilirakis	Brutus
Antone	Bean	Bogdanoff	Bucher

Bullard	Glorioso	Legg	Rivera
Cannon	Goldstein	Littlefield	Robaina
Carroll	Goodlette	Llorente	Roberson
Clarke	Gottlieb	Lopez-Cantera	Ross
Coley	Grant	Machek	Rubio
Cretul	Greenstein	Mahon	Russell
Culp	Grimsley	Mayfield	Ryan
Cusack	Harrell	McInvale	Sands
Davis, D.	Hasner	Meadows	Sansom
Davis, M.	Hays	Mealor	Seiler
Dean	Henriquez	Murzin	Simmons
Detert	Holloway	Needelman	Slosberg
Domino	Homan	Negron	Smith
Evers	Hukill	Patterson	Sobel
Farkas	Jennings	Peterman	Sorensen
Fields	Johnson	Pickens	Stansel
Flores	Jordan	Planas	Stargel
Galvano	Joyner	Poppell	Taylor
Gannon	Justice	Porth	Traviesa
Garcia	Kendrick	Proctor	Troutman
Gardiner	Kottkamp	Quinones	Vana
Gelber	Kravitz	Reagan	Waters
Gibson, A.	Kreegel	Rice	Williams
Gibson, H.	Kyle	Richardson	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 1590—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.12, F.S.; authorizing a dealer to elect to forego the collection allowance and direct that the collection allowance be transferred to the Educational Enhancement Trust Fund, to be distributed to school districts as specified; providing exceptions; providing for rulemaking by the Department of Revenue; providing an appropriation; providing for costs recovery; requiring that the Department of Revenue report collection information to the Department of Education; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1115

Representative Russell in the Chair.

Yeas—119

Adams	Culp	Hukill	Proctor
Allen	Cusack	Jennings	Quinones
Altman	Davis, D.	Johnson	Reagan
Ambler	Davis, M.	Jordan	Rice
Anderson	Dean	Joyner	Richardson
Antone	Detert	Justice	Rivera
Arza	Domino	Kendrick	Robaina
Attkisson	Evers	Kottkamp	Roberson
Ausley	Farkas	Kravitz	Ross
Barreiro	Fields	Kreegel	Rubio
Baxley	Flores	Kyle	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, A.	Mahon	Slosberg
Bogdanoff	Gibson, H.	Mayfield	Smith
Bowen	Glorioso	McInvale	Sobel
Brandenburg	Goldstein	Meadows	Sorensen
Brown	Goodlette	Mealor	Stansel
Brummer	Gottlieb	Murzin	Stargel
Brutus	Grant	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata
Cretul	Homan	Porth	

Nays—1

Greenstein

Votes after roll call:

Nays to Yeas—Greenstein

So the bill passed and was immediately certified to the Senate.

On motion by Rep. Traviesa, consideration of **CS for SB 1838** was temporarily postponed.

CS for CS for SB 1774—A bill to be entitled An act relating to building codes; authorizing the Florida Building Commission to update and modify the standard for wind design; expressly superseding a provision; amending s. 399.15, F.S.; revising the dates by which the elevators in certain buildings must be keyed to allow regional emergency elevator access; amending s. 553.71, F.S.; deleting the definition of "exposure category C"; amending s. 553.73, F.S.; authorizing the Florida Building Commission to adopt certain limited amendments to the Florida Building Code pursuant to rule adoption procedures for certain purposes after triennial updates; authorizing authorities to enforce such amendments; specifying amendment criteria; amending s. 553.775, F.S.; prohibiting certain procedures from being invoked to interpret or review the Florida Accessibility Code for Building Construction and chapter 11 of the Florida Building Code; amending s. 553.791, F.S.; providing for the use of private providers of building code inspection services under certain circumstances; amending s. 633.0215, F.S.; authorizing the State Fire Marshal to adopt certain limited amendments of the Florida Fire Prevention Code pursuant to rule adoption procedures for certain purposes after triennial updates; authorizing authorities to enforce such amendments; specifying amendment criteria; deleting a provision authorizing approval of certain technical amendments to the Florida Fire Prevention Code, notwithstanding the 3-year update cycle; amending s. 633.021, F.S.; defining the term "fire hydrant" for the purpose of the Florida Fire Prevention Code; amending s. 633.082, F.S.; providing for the inspection of fire hydrants by the State Fire Marshal; requiring that each fire hydrant be opened fully at least once each year to clear foreign materials in the system; providing that a fire hydrant made nonfunctional by the closing of a water supply valve must immediately be tagged with a red tag that is boldly marked "nonfunctional"; repealing s. 633.5391, F.S., relating to backflow prevention assembly inspection; providing an effective date.

—was read the third time by title.

Further consideration of **CS for CS for SB 1774** was temporarily postponed.

SB 1948—A bill to be entitled An act relating to disclosures in connection with the sale of coastal property; amending s. 161.57, F.S.; revising requirements for the disclosures that must be provided by a seller of coastal property to the purchaser; providing that failure to deliver a disclosure, affidavit, or survey does not create a right of rescission or impair title to the property; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1116

Representative Russell in the Chair.

Yeas—112

Allen	Attkisson	Bense	Bowen
Altman	Ausley	Benson	Brandenburg
Ambler	Barreiro	Berfield	Brown
Anderson	Bean	Bilirakis	Brummer
Antone	Bendross-Mindingall	Bogdanoff	Brutus

Bucher	Gibson, H.	Kreegel	Robaina
Bullard	Glorioso	Kyle	Roberson
Cannon	Goldstein	Legg	Ross
Carroll	Goodlette	Littlefield	Rubio
Clarke	Gottlieb	Llorente	Russell
Coley	Grant	Machek	Ryan
Cretul	Greenstein	Mahon	Sands
Culp	Grimsley	Mayfield	Sansom
Cusack	Harrell	McInvale	Seiler
Davis, D.	Hasner	Meadows	Simmons
Davis, M.	Hays	Murzin	Slosberg
Dean	Henriquez	Needelman	Smith
Detert	Holloway	Negron	Sobel
Domino	Homan	Peterman	Sorensen
Evers	Hukill	Pickens	Stansell
Farkas	Jennings	Planas	Stargel
Fields	Johnson	Poppell	Taylor
Flores	Jordan	Porth	Traviesa
Galvano	Joyner	Proctor	Troutman
Garcia	Justice	Quinones	Vana
Gardiner	Kendrick	Rice	Waters
Gelber	Kottkamp	Richardson	Williams
Gibson, A.	Kravitz	Rivera	Zapata

Nays—None

Votes after roll call:

Yeas—Adams, Baxley, Gannon, Lopez-Cantera, Mealor, Patterson, Reagan

So the bill passed and was immediately certified to the Senate.

CS for CS for CS for SB 888—A bill to be entitled An act relating to energy; creating the Florida Energy Commission, which is located within the Office of Legislative Services for administrative purposes; providing for the membership of the commission; providing for appointment, terms of office, and qualifications of members; providing for voting members to be reimbursed for per diem and travel expenses; providing for meetings of the commission; authorizing the commission to employ staff; requiring that the commission develop policy recommendations; requiring an annual report to the Legislature; requiring a study and a report to the Governor and Legislature concerning the electric transmission grid; creating s. 377.801, F.S.; creating the "Florida Renewable Energy Technologies and Energy Efficiency Act"; creating s. 377.802, F.S.; stating the purpose of the act; creating s. 377.803, F.S.; providing definitions; creating s. 377.804, F.S.; creating the Renewable Energy Technologies Grants Program; providing program requirements and procedures, including matching funds; requiring the Department of Environmental Protection to coordinate with the Department of Agriculture and Consumer Services; requiring joint departmental approval for the funding of any bioenergy project; creating s. 377.805, F.S.; creating the Energy Efficient Appliance Rebate Program; providing program requirements, procedures, and limitations; creating s. 377.8055, F.S.; providing a sales tax holiday for energy efficient products; providing for rules; creating s. 377.806, F.S.; creating the Solar Energy System Incentives Program; providing definitions; creating the solar photovoltaic incentive program; providing eligibility requirements; providing rebate amounts; creating the solar thermal incentive program; providing for eligibility; providing rebate amounts; providing rulemaking authority to the Public Service Commission; requiring the Florida Solar Energy Center to certify the performance of solar equipment sold and installed in the state; amending s. 212.08, F.S.; providing definitions for the terms "biodiesel" and "ethanol"; providing tax exemptions for the sale or use of certain energy efficient products; providing eligibility requirements and tax credit limits; directing the department to adopt rules; directing the department to determine and publish certain information relating to such exemptions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain information with the Department of Environmental Protection for specified purposes; amending s. 220.02, F.S.; providing the order of application of the renewable energy technologies investment tax credit; creating s. 220.192, F.S.; establishing a corporate tax credit for certain costs related to renewable energy technologies; providing eligibility requirements and credit limits; providing

certain authority to the Department of Environmental Protection and the Department of Revenue; directing the Department of Environmental Protection to determine and publish certain information; amending s. 220.13, F.S.; providing an addition to the definition of "adjusted federal income"; amending s. 186.801, F.S.; revising the provisions of electric utility 10-year site plans to include the effect on fuel diversity; amending s. 366.04, F.S.; revising the safety standards for public utilities; amending s. 366.05, F.S.; authorizing the Public Service Commission to adopt certain construction standards and make certain determinations; amending s. 403.503, F.S.; revising and providing definitions applicable to the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; providing the Department of Environmental Protection with additional powers and duties relating to the Florida Electrical Power Plant Siting Act; amending s. 403.5055, F.S.; revising provisions for certain permits associated with applications for electrical power plant certification; amending s. 403.506, F.S.; revising provisions relating to applicability and certification of certain power plants; amending s. 403.5064, F.S.; revising provisions for distribution of applications and schedules relating to certification; amending s. 403.5065, F.S.; revising provisions relating to the appointment of administrative law judges; amending s. 403.5066, F.S.; revising provisions relating to the determination of completeness for certain applications; creating s. 403.50663, F.S.; authorizing certain local governments and regional planning councils to hold an informational public meeting; providing requirements and procedures therefor; creating s. 403.50665, F.S.; requiring local governments to file certain land use determinations; providing requirements and procedures therefor; repealing s. 403.5067, F.S.; relating to the determination of sufficiency for certain applications; amending s. 403.507, F.S.; revising required statement provisions for affected agencies; amending s. 403.508, F.S.; revising provisions related to land use and certification proceedings; requiring certain notice; amending s. 403.509, F.S.; revising provisions related to the final disposition of certain applications; providing requirements and provisions with respect thereto; amending s. 403.511, F.S.; revising provisions related to the effect of certification for the construction and operation of proposed power plants; providing that issuance of certification meets certain consistency requirements; creating s. 403.5112, F.S.; requiring filing of notice for certified corridor routes; providing requirements and procedures with respect thereto; creating s. 403.5113, F.S.; authorizing postcertification amendments for power plant site certification applications; providing requirements and procedures with respect thereto; amending s. 403.5115, F.S.; requiring certain public notice for activities related to power plant site application, certification, and land use determination; providing requirements and procedures with respect thereto; directing the Department of Environmental Protection to maintain certain lists and provide copies to of certain publications; amending s. 403.513, F.S.; revising provisions for judicial review of appeals related to power plant site certification; amending s. 403.516, F.S.; revising provisions relating to modification of certification for power plant sites; amending s. 403.517, F.S.; revising the provisions relating to supplemental applications for certain power plant sites; amending s. 403.5175, F.S.; revising provisions relating to existing power plant site certification; revising the procedure for reviewing and processing applications; requiring additional information to be included in certain applications; amending s. 403.518, F.S.; revising the allocation of proceeds from certain fees collected; providing for reimbursement of certain expenses; directing the Department of Environmental Protection to establish rules for determination of certain fees; eliminating certain operational license fees; providing that applications for power plant certification be processed under laws applicable at the time the application is filed; providing exceptions; amending s. 403.519, F.S.; directing the Public Service Commission to consider fuel diversity and reliability in certain determinations; providing for determination of need for nuclear power plants; providing an exemption from purchased power supply bid rule; creating s. 366.93, F.S.; providing definitions; requiring the Public Service Commission to implement rules related to nuclear power plant cost recovery; requiring a report; amending s. 403.52, F.S.; changing the short title to the "Florida Electric Transmission Line Siting Act"; amending s. 403.521, F.S.; revising legislative intent; amending s. 403.522, F.S.; revising definitions; defining the terms "licensee" and "maintenance and access roads"; amending s. 403.523, F.S.; revising powers

and duties of the Department of Environmental Protection; requiring the department to collect and process fees, to prepare a project analysis, to act as clerk for the siting board, and to administer and manage the terms and conditions of the certification order and supporting documents and records; amending s. 403.524, F.S.; revising provisions for applicability, certification, and exemptions under the act; revising provisions for notice by an electric utility of its intent to construct an exempt transmission line; amending s. 403.525, F.S.; providing for powers and duties of the administrative law judge designated by the Division of Administrative Hearings to conduct the required hearings; amending s. 403.5251, F.S.; revising application procedures and schedules; providing for the formal date of filing an application for certification and commencement of the certification review process; requiring the department to prepare a proposed schedule of dates for determination of completeness and other significant dates to be followed during the certification process; providing for the formal date of application distribution; requiring the applicant to provide notice of filing the application; amending s. 403.5252, F.S.; revising timeframes and procedures for determination of completeness of the application; requiring the department to consult with affected agencies; revising requirements for the department to file a statement of its determination of completeness with the Division of Administrative Hearings, the applicant, and all parties within a certain time after distribution of the application; revising requirements for the applicant to file a statement with the department, the division, and all parties, if the department determines the application is not complete; providing for the statement to notify the department whether the information will be provided; revising timeframes and procedures for contests of the determination by the department; providing for parties to a hearing on the issue of completeness; amending s. 403.526, F.S.; revising criteria and procedures for preliminary statements of issues, reports, and studies; revising timeframes; requiring that the preliminary statement of issues from each affected agency be submitted to the department and the applicant; revising criteria for the Department of Community Affairs' report; requiring the Department of Transportation, the Public Service Commission, and any other affected agency to prepare a project report; revising required content of the report; providing for notice of any nonprocedural requirements not listed in the application; providing for failure to provide such notification; providing for a recommendation for approval or denial of the application; providing that receipt of an affirmative determination of need is a condition precedent to further processing of the application; requiring that the department prepare a project analysis to be filed with the administrative law judge and served on all parties within a certain time; amending s. 403.527, F.S.; revising procedures and timeframes for the certification hearing conducted by the administrative law judge; revising provisions for notices and publication of notices, public hearings held by local governments, testimony at the public-hearing portion of the certification hearing, the order of presentations at the hearing, and consideration of certain communications by the administrative law judge; requiring the applicant to pay certain expenses and costs; requiring the administrative law judge to issue a recommended order disposing of the application; requiring that certain notices be made in accordance with specified requirements and within a certain time; requiring the Department of Transportation to be a party to the proceedings; providing for the administrative law judge to cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection upon request by the applicant or the department; requiring the department and the applicant to publish notice of such cancellation; providing for parties to submit proposed recommended orders to the department when the certification hearing has been canceled; providing that the department prepare a recommended order for final action by the siting board when the hearing has been canceled; amending s. 403.5271, F.S.; revising procedures and timeframes for consideration of proposed alternate corridors; revising notice requirements; providing for notice of the filing of the alternate corridor and revised time schedules; providing for notice to agencies newly affected by the proposed alternate corridor; requiring the person proposing the alternate corridor to provide all data to the agencies within a certain time; providing for a determination by the department that the data is not complete; providing for withdrawal of the proposed alternate corridor upon such determination; requiring that agencies file reports with the applicant and the department which address the proposed

alternate corridor; requiring that the department file with the administrative law judge, the applicant, and all parties a project analysis of the proposed alternate corridor; providing that the party proposing an alternate corridor has the burden of proof concerning the certifiability of the alternate corridor; amending s. 403.5272, F.S.; revising procedures for informational public meetings; providing for informational public meetings held by regional planning councils; revising timeframes; amending s. 403.5275, F.S.; revising provisions for amendment to the application prior to certification; amending s. 403.528, F.S.; providing that a comprehensive application encompassing more than one proposed transmission line may be good cause for altering established time limits; amending s. 403.529, F.S.; revising provisions for final disposition of the application by the siting board; providing for the administrative law judge's or department's recommended order; amending s. 403.531, F.S.; revising provisions for conditions of certification; amending s. 403.5312, F.S.; requiring the applicant to file notice of a certified corridor route with the department; amending s. 403.5315, F.S.; revising the circumstances under which a certification may be modified after the certification has been issued; providing for procedures if objections are raised to the proposed modification; creating s. 403.5317, F.S.; providing procedures for changes proposed by the licensee after certification; requiring the department to determine within a certain time if the proposed change requires modification of the conditions of certification; requiring notice to the licensee, all agencies, and all parties of changes that are approved as not requiring modification of the conditions of certification; creating s. 403.5363, F.S.; requiring publication of certain notices by the applicant, the proponent of an alternate corridor, and the department; requiring the department to adopt rules specifying the content of such notices; amending s. 403.5365, F.S.; revising application fees and the distribution of fees collected; revising procedures for reimbursement of local governments and regional planning organizations; amending s. 403.537, F.S.; revising the schedule for notice of a public hearing by the Public Service Commission in order to determine the need for a transmission line; providing that the commission is the sole forum in which to determine the need for a transmission line; amending ss. 373.441, 403.061, 403.0876, and 403.809, F.S.; conforming terminology to changes made by the act; repealing ss. 403.5253 and 403.5369, F.S., relating to determination of sufficiency of application or amendment to the application and the application of the act to applications filed before a certain date; requiring a report to the Governor and Legislature; providing appropriations; providing an effective date.

—was read the third time by title.

Reconsideration

On motion by Rep. Hasner, by the required two-thirds vote, the House reconsidered the vote by which Amendment 1 on CS for CS for CS for SB 888 was adopted (shown in the *Journal* on pages 1108-1136, May 2).

Representative Hasner offered the following:

(Amendment Bar Code: 435723)

Amendment 1 to Amendment 1 (with title amendment)—Remove lines 261-311 and insert:

Section 8. Florida Energy Commission.--

(1) The Florida Energy Commission is created and shall be located within the Office of Legislative Services for administrative purposes. The commission shall be comprised of a total of nine members.

(a) The members shall be appointed as follows: the President of the Senate and the Speaker of the House of Representatives shall appoint four members each and shall jointly appoint the ninth member, who shall serve as chair. Members shall be appointed to 2-year terms; however, in order to establish staggered terms, for the initial appointments, each appointing official shall appoint two members to a 1-year term and two members to a 2-year term. Members must meet the following qualifications and restrictions:

1. A member must be an expert in one or more of the following fields: energy, natural resource conservation, economics, engineering, finance, law,

consumer protection, state energy policy, or another field substantially related to the duties and functions of the commission. The commission shall fairly represent the fields specified in this subparagraph.

2. Each member shall, at the time of appointment and at each commission meeting during his or her term of office, disclose:

a. Whether he or she has any financial interest, other than ownership of shares in a mutual fund, in any business entity that, directly or indirectly, owns or controls, or is an affiliate or subsidiary of, any business entity that may profit by the policy recommendations developed by the commission.

b. Whether he or she is employed by or is engaged in any business activity with any business entity that, directly or indirectly, owns or controls, or is an affiliate or subsidiary of, any business entity that may profit by the policy recommendations developed by the commission.

(b) The following may also attend meetings and provide information and advise at the request of the chair:

1. The chair of the Florida Public Service Commission, or his or her designee.

2. The Public Counsel, or his or her designee.

3. The Commissioner of Agriculture, or his or her designee.

4. The Director of the Office of Insurance Regulation, or his or her designee.

5. The Secretary of Health, or his or her designee.

6. The chair of the State Board of Education, or his or her designee.

7. The Secretary of Community Affairs, or his or her designee.

8. The Secretary of Transportation, or his or her designee.

9. The Secretary of Environmental Protection, or his or her designee.

(2) Members shall serve without compensation but are entitled to reimbursement for per diem and travel expenses as provided in s. 112.061, Florida Statutes.

(3) Meetings of the commission shall be held in various locations around the state and at the call of the chair; however, the commission must meet at least twice each year.

(4)(a) The commission may employ staff to assist in the performance of its duties, including an executive director, an attorney, a communications staff member, and an executive assistant.

(b) The commission may form advisory groups consisting of members of the public to provide information on specific issues.

(5) The commission shall develop recommendations for legislation to establish a state energy policy. The recommendations of the commission shall be based on the guiding principles of reliability, efficiency, affordability, and diversity as provided in subsection (7). The commission shall continually review the state energy policy and shall recommend to the Legislature any additional necessary changes or improvements.

(6)(a) The commission shall report by December 31 of each year to the President of the Senate and the Speaker of the House of Representatives on its progress and recommendations, including draft legislation.

(b) The commission's initial report must be filed by December 31, 2007, and must identify incentives for research, development, or deployment projects involving the goals and issues set forth in this section; set forth policy recommendations for conservation of all forms of energy; and set forth a plan of action, together with a timetable, for addressing additional issues.

(c) The commission's initial report shall also recommend consensus-based public-involvement processes that evaluate greenhouse gas emissions in this state and make recommendations regarding related economic, energy, and environmental benefits.

(d) The report must include recommended steps and a schedule for the development of a comprehensive state climate action plan with greenhouse gas reduction through a public-involvement process, including transportation and land use; power generation; residential, commercial, and industrial activities; waste management; agriculture and forestry; emissions-reporting systems; and public education.

(7) In developing its recommendations, the commission shall be guided by the principles of reliability, efficiency, affordability, and diversity, and more specifically as follows:

(a) The state should have a reliable electric supply with adequate reserves.

(b) The transmission and delivery of electricity should be reliable.

(c) The generation, transmission, and delivery of electricity should be accomplished with the least detriment to the environment and public health.

(d) The generation, transmission, and delivery of electricity should be accomplished compatibly with the goals for growth management.

(e) Electricity generation, transmission, and delivery facilities should be reasonably secure from damage, taking all factors into consideration, and recovery from damage should be prompt.

(f) Electric rates should be affordable, as to base rates and all recovery-clause additions, with sufficient incentives for utilities to achieve this goal.

(g) The state should have a reliable supply of motor vehicle fuels, both under normal circumstances and during hurricanes and other emergency situations.

(h) In-state research, development, and deployment of alternative energy technologies and alternative motor vehicle fuels should be encouraged.

(i) When possible, the resources of the state should be used in achieving the goals enumerated in this subsection.

(j) Consumers of energy should be encouraged and given incentives to be more efficient in their use of energy.

It is the specific intent of the Legislature that nothing in this section shall in any way change the powers, duties, and responsibilities of the Public Service Commission or the powers, duties, and responsibilities assigned by the Florida Electrical Power Plant Siting Act, ss. 403.501-403.518, Florida Statutes.

===== TITLE AMENDMENT =====

Remove lines 4292-4297 and insert:

creating the Florida Energy Commission within the Office of Legislative Services; providing for appointment, qualifications, and terms of members; authorizing certain persons to attend meetings of and advise the commission; providing for reimbursement for travel expenses and per diem; providing for meetings; providing purposes and guiding principles of the commission; requiring recommendations and reports; providing legislative intent;

Rep. Hasner moved the adoption of the amendment to the amendment, which was adopted.

Representative Vana offered the following:

(Amendment Bar Code: 943303)

Amendment 2 to Amendment 1 (with title amendment)—Remove lines 275-309 and insert:

(2)(a) The council shall, by December 31, 2006, submit a report to the Governor, the Cabinet, the President of the Senate, and the Speaker of the House of Representatives which recommends consensus-based public-involvement processes to reduce greenhouse gas emissions in this state and to make such reductions and related economic, energy, and environmental co-benefits a state priority.

(b) The report must include recommended steps and a schedule for the development of a comprehensive state climate action plan with statewide greenhouse gas reduction goals and a range of specific policy options for all economic sectors to be developed through a public-involvement process, including transportation and land use; power generation; residential, commercial, and industrial activities; waste management; agriculture and forestry; emissions-reporting systems; and public education.

(c) The climate action plan must include:

1. Recommendations for the development of an annual greenhouse gas emissions inventory by the Department of Environmental Protection, recommendations for the development of a current comprehensive inventory of state greenhouse gas emissions since 1990, and a similar forecast of state greenhouse gas emissions from the present to the year 2020 or later.

2. Recommended steps to identify areas where specific greenhouse gas reduction policies are feasible; the costs and benefits of each recommendation; methods for helping individuals, institutions, and businesses reduce emissions; an implementation schedule; and identification of funding requirements for the development and implementation of strategies.

3. Consideration of the feasibility of establishing by law a greenhouse gas reduction target to lower greenhouse gas emissions in the state below the forecasted levels of emissions growth in the future at maximum achievable levels.

(d) The council may appoint technical advisory committees and technical assistance providers to provide recommendations to assist with the intent of this subsection.

(3)(a) The council shall be comprised of a diversity of stakeholders and may include utility providers, alternative energy providers, researchers, environmental scientists, fuel suppliers, technology manufacturers, persons representing environmental, consumer, and public health interests, and others.

(b) The council shall consist of nine voting members as follows:

1. The Secretary of Environmental Protection, or his or her designee, who shall serve as chair of the council.

2. The chair of the Public Service Commission, or his or her designee, who shall serve as vice chair of the council.

3. One member shall be the Commissioner of Agriculture, or his or her designee.

4. Two members who shall be appointed by the Governor.

5. Two members who shall be appointed by the President of the Senate.

6. Two members who shall be appointed by the Speaker of the House of Representatives.

(c) All initial members shall be appointed prior to September 1, 2006. Appointments made by the Governor, the President of the Senate, and the Speaker of the House of Representatives shall be for terms of 2 years each. Members shall serve until their successors are appointed. Vacancies shall be filled in the manner of the original appointment for the remainder of the term that is vacated.

(d) Members shall serve without compensation but are entitled to reimbursement for travel expenses and per diem related to council duties and responsibilities pursuant to s. 112.061.

(4) The Department of Environmental Protection shall provide primary staff support to the council and shall ensure that council meetings are electronically recorded. Such recording shall be preserved pursuant to chapters 119 and 257.

(5) The Department of Environmental Protection may adopt

===== T I T L E A M E N D M E N T =====

Remove line 4294 and insert:
providing purpose and composition; requiring the council to submit a report to the Governor, Cabinet, and Legislature by a certain date; providing requirements for such report; authorizing the council to appoint certain advisory committees; providing for

Rep. Vana moved the adoption of the amendment to the amendment.

Further consideration of **CS for CS for CS for SB 888**, with pending amendment to the amendment, was temporarily postponed.

CS for CS for SB 214—A bill to be entitled An act relating to dart-firing stun guns; amending s. 790.001, F.S.; defining the term "dart-firing stun gun" for purposes of ch. 790, F.S., relating to weapons and firearms; deleting the definition of the term "remote stun gun"; amending ss. 790.01 and 790.053, F.S., relating to the carrying of concealed weapons and the open carrying of weapons; conforming provisions to the change in the definition made by the act to authorize the carrying of a dart-firing stun gun for purposes of lawful self-defense; amending s. 790.054, F.S.; providing that it is a third-degree felony to use a dart-firing stun gun against an on-duty law enforcement officer; creating s. 943.1717, F.S.; providing circumstances during which law enforcement, correctional, and correctional probation officers may employ a dart-firing stun gun; requiring the Criminal Justice Standards and Training Commission to establish standards for instruction in the use of dart-firing stun guns; requiring that a minimum number of hours in such training be included in the basic-skills course required for certain certifications; requiring certain officers who have not received training in the use of dart-firing stun guns and who are authorized to carry dart-firing stun guns to receive training;

requiring annual training for certain officers; requiring a school resource officer or law enforcement officer to make certain reports concerning the use of a dart-firing stun gun; requiring the Department of Law Enforcement to maintain the reports and provide them to the Department of Health upon request; requiring the Department of Health to conduct an ongoing study of the medical effects concerning certain uses of dart-firing stun guns; requiring a report to the Legislature; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1117

Representative Russell in the Chair.

Yeas—116

Adams	Cretul	Henriquez	Porth
Allen	Culp	Holloway	Proctor
Altman	Cusack	Homan	Quinones
Ambler	Davis, D.	Hukill	Reagan
Anderson	Davis, M.	Jennings	Rice
Antone	Dean	Johnson	Richardson
Arza	Detert	Jordan	Rivera
Attkisson	Domino	Joyner	Robaina
Ausley	Evers	Justice	Roberson
Barreiro	Farkas	Kendrick	Ross
Baxley	Fields	Kottkamp	Rubio
Bean	Flores	Kreegel	Russell
Bendross-Mindingall	Galvano	Legg	Ryan
Bense	Gannon	Littlefield	Sands
Benson	Garcia	Llorente	Sansom
Berfield	Gardiner	Lopez-Cantera	Seiler
Bilirakis	Gelber	Mahon	Slosberg
Bogdanoff	Gibson, A.	Mayfield	Smith
Bowen	Gibson, H.	McInvale	Sobel
Brandenburg	Glorioso	Meadows	Sorensen
Brown	Goldstein	Mealor	Stansel
Brummer	Goodlette	Murzin	Stargel
Brutus	Gottlieb	Needelman	Taylor
Bucher	Grant	Negron	Traviesa
Bullard	Greenstein	Patterson	Troutman
Cannon	Grimsley	Peterman	Vana
Carroll	Harrell	Pickens	Waters
Clarke	Hasner	Planas	Williams
Coley	Hays	Poppell	Zapata

Nays—None

Votes after roll call:

Yeas—Kravitz, Kyle, Machek

So the bill passed, as amended, and was immediately certified to the Senate.

HB 335—A bill to be entitled An act relating to juvenile justice; amending s. 985.04, F.S.; authorizing disclosure of specified confidential juvenile records to private school principals; requiring the Department of Juvenile Justice, law enforcement agencies, and state attorneys to provide notice to private school principals of specified juvenile offenders; providing criminal penalties for a private school employee who improperly discloses specified confidential information; requiring private school principals to notify classroom teachers of specified information; amending s. 985.207, F.S.; requiring the arresting authority to provide notice to private school principals of specified juvenile offenders; requiring private school principals to notify classroom teachers of specified information; permitting a law enforcement officer to take a child into custody for a violation of adjudication order conditions; amending s. 985.215, F.S.; permitting specified types of postadjudication detention for a child who has previously failed to appear at delinquency court proceedings regardless of risk assessment instrument results; providing exceptions that permit postadjudication detention until the child's disposition order is entered in his or her case; conforming cross-references; requiring detention staff to notify private school personnel of a

juvenile sexual offender's release; amending s. 985.228, F.S.; requiring a court to include specified conditions in a child's order of adjudication of delinquency that apply during the postadjudication and predisposition period; providing a definition; permitting a court to find a child in contempt of court for a violation of adjudication order conditions; providing sanctions; amending s. 985.31, F.S.; deleting a requirement for a report on serious or habitual juvenile offenders; amending s. 985.311, F.S.; deleting a requirement for a report on intensive residential treatment; amending s. 985.317, F.S.; deleting a requirement for a report on literacy programs for juvenile offenders; creating s. 985.3142, F.S.; providing that the willful failure of a child to return to a residential commitment facility within the time authorized for a temporary release is absconding for a first offense and is a second degree misdemeanor for a second or subsequent offense; providing penalties; amending s. 985.412, F.S.; directing the Department of Juvenile Justice to collect and analyze specified data; creating and revising definitions; requiring the development of a standard methodology for annually measuring, evaluating, and reporting program outputs and youth outcomes; requiring an annual report; specifying report contents; deleting a requirement for an annual cost data report; deleting a requirement for a cost-benefit analysis of educational programs; revising a cost-effectiveness model for commitment programs; revising a cost-effectiveness report due date; revising requirements for annual quality assurance reporting; conforming provisions; deleting obsolete provisions relating to incentive and disincentive proposals and liquidated damages; creating a pilot program that authorizes specified courts to select commitment programs for juvenile delinquents; providing definitions; providing the program's purpose; requiring the Department of Juvenile Justice to develop implementation procedures and to publish specified information about commitment programs on its website; providing procedures for the selection of commitment programs by courts; requiring evaluation and reports by the Office of Program Policy Analysis and Government Accountability; specifying department and court responsibilities relating to the reports; providing for future repeal of the pilot program; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1118

Representative Russell in the Chair.

Yeas—119

Adams	Culp	Hukill	Proctor
Allen	Cusack	Jennings	Quinones
Altman	Davis, D.	Johnson	Reagan
Ambler	Davis, M.	Jordan	Rice
Anderson	Dean	Joyner	Richardson
Antone	Detert	Justice	Rivera
Arza	Domino	Kendrick	Robaina
Attkisson	Evers	Kottkamp	Roberson
Ausley	Farkas	Kravitz	Ross
Barreiro	Fields	Kreegel	Rubio
Baxley	Flores	Kyle	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, A.	Mahon	Slosberg
Bogdanoff	Gibson, H.	Mayfield	Smith
Bowen	Glorioso	McInvale	Sobel
Brandenburg	Goldstein	Meadows	Sorensen
Brown	Goodlette	Mealor	Stansel
Brummer	Gottlieb	Murzin	Stargel
Brutus	Grant	Needelman	Taylor
Bucher	Greenstein	Negron	Traviesa
Bullard	Grimsley	Patterson	Troutman
Cannon	Harrell	Peterman	Vana
Carroll	Hasner	Pickens	Waters
Clarke	Hays	Planas	Williams
Coley	Henriquez	Poppell	Zapata
Cretul	Holloway	Porth	

Nays—None

Votes after roll call:

Yeas—Homan

So the bill passed, as amended, and was immediately certified to the Senate.

CS for SB 1838—A bill to be entitled An act relating to pharmacy common databases; amending s. 465.026, F.S.; deleting a provision authorizing certain community pharmacies to transfer prescriptions for Schedule II medicinal drugs under certain conditions; creating s. 465.0266, F.S.; authorizing the dispensing or refilling of a prescription without a transferred prescription under specified conditions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1119

Representative Russell in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

CS for CS for SB 1774—A bill to be entitled An act relating to building codes; authorizing the Florida Building Commission to update and modify the standard for wind design; expressly superseding a provision; amending s. 399.15, F.S.; revising the dates by which the elevators in certain buildings must be keyed to allow regional emergency elevator access; amending s. 553.71, F.S.; deleting the definition of "exposure category C"; amending s. 553.73, F.S.; authorizing the Florida Building Commission to adopt certain limited amendments to the Florida Building Code pursuant to rule adoption procedures for certain purposes after triennial updates; authorizing authorities to enforce such amendments; specifying amendment criteria; amending s. 553.775, F.S.; prohibiting certain procedures from being invoked to interpret or review the Florida Accessibility Code for Building Construction and

chapter 11 of the Florida Building Code; amending s. 553.791, F.S.; providing for the use of private providers of building code inspection services under certain circumstances; amending s. 633.0215, F.S.; authorizing the State Fire Marshal to adopt certain limited amendments of the Florida Fire Prevention Code pursuant to rule adoption procedures for certain purposes after triennial updates; authorizing authorities to enforce such amendments; specifying amendment criteria; deleting a provision authorizing approval of certain technical amendments to the Florida Fire Prevention Code, notwithstanding the 3-year update cycle; amending s. 633.021, F.S.; defining the term "fire hydrant" for the purpose of the Florida Fire Prevention Code; amending s. 633.082, F.S.; providing for the inspection of fire hydrants by the State Fire Marshal; requiring that each fire hydrant be opened fully at least once each year to clear foreign materials in the system; providing that a fire hydrant made nonfunctional by the closing of a water supply valve must immediately be tagged with a red tag that is boldly marked "nonfunctional"; repealing s. 633.5391, F.S., relating to backflow prevention assembly inspection; providing an effective date.

—was taken up, having been read the third time earlier today.

The question recurred on the passage of CS for CS for SB 1774. The vote was:

Session Vote Sequence: 1120

Representative Russell in the Chair.

Yeas—119

Adams	Culp	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Jennings	Reagan
Ambler	Davis, M.	Johnson	Rice
Anderson	Dean	Jordan	Richardson
Antone	Detert	Joyner	Rivera
Arza	Domino	Justice	Robaina
Attkisson	Evers	Kendrick	Roberson
Ausley	Farkas	Kottkamp	Ross
Barreiro	Fields	Kravitz	Rubio
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Kyle	Ryan
Bendross-Mindingall	Gannon	Legg	Sands
Bense	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Traviesa
Bullard	Grimley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Planas	Williams
Coley	Henriquez	Poppell	Zapata
Cretul	Holloway	Porth	

Nays—1

Pickens

Votes after roll call:

Yeas to Yeas—Pickens

So the bill passed and was immediately certified to the Senate.

CS for CS for CS for SB 888—A bill to be entitled An act relating to energy; creating the Florida Energy Commission, which is located within the Office of Legislative Services for administrative purposes; providing for the membership of the commission; providing for appointment, terms of office, and qualifications of members; providing for voting members to be

reimbursed for per diem and travel expenses; providing for meetings of the commission; authorizing the commission to employ staff; requiring that the commission develop policy recommendations; requiring an annual report to the Legislature; requiring a study and a report to the Governor and Legislature concerning the electric transmission grid; creating s. 377.801, F.S.; creating the "Florida Renewable Energy Technologies and Energy Efficiency Act"; creating s. 377.802, F.S.; stating the purpose of the act; creating s. 377.803, F.S.; providing definitions; creating s. 377.804, F.S.; creating the Renewable Energy Technologies Grants Program; providing program requirements and procedures, including matching funds; requiring the Department of Environmental Protection to coordinate with the Department of Agriculture and Consumer Services; requiring joint departmental approval for the funding of any bioenergy project; creating s. 377.805, F.S.; creating the Energy Efficient Appliance Rebate Program; providing program requirements, procedures, and limitations; creating s. 377.8055, F.S.; providing a sales tax holiday for energy efficient products; providing for rules; creating s. 377.806, F.S.; creating the Solar Energy System Incentives Program; providing definitions; creating the solar photovoltaic incentive program; providing eligibility requirements; providing rebate amounts; creating the solar thermal incentive program; providing for eligibility; providing rebate amounts; providing rulemaking authority to the Public Service Commission; requiring the Florida Solar Energy Center to certify the performance of solar equipment sold and installed in the state; amending s. 212.08, F.S.; providing definitions for the terms "biodiesel" and "ethanol"; providing tax exemptions for the sale or use of certain energy efficient products; providing eligibility requirements and tax credit limits; directing the department to adopt rules; directing the department to determine and publish certain information relating to such exemptions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain information with the Department of Environmental Protection for specified purposes; amending s. 220.02, F.S.; providing the order of application of the renewable energy technologies investment tax credit; creating s. 220.192, F.S.; establishing a corporate tax credit for certain costs related to renewable energy technologies; providing eligibility requirements and credit limits; providing certain authority to the Department of Environmental Protection and the Department of Revenue; directing the Department of Environmental Protection to determine and publish certain information; amending s. 220.13, F.S.; providing an addition to the definition of "adjusted federal income"; amending s. 186.801, F.S.; revising the provisions of electric utility 10-year site plans to include the effect on fuel diversity; amending s. 366.04, F.S.; revising the safety standards for public utilities; amending s. 366.05, F.S.; authorizing the Public Service Commission to adopt certain construction standards and make certain determinations; amending s. 403.503, F.S.; revising and providing definitions applicable to the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; providing the Department of Environmental Protection with additional powers and duties relating to the Florida Electrical Power Plant Siting Act; amending s. 403.5055, F.S.; revising provisions for certain permits associated with applications for electrical power plant certification; amending s. 403.506, F.S.; revising provisions relating to applicability and certification of certain power plants; amending s. 403.5064, F.S.; revising provisions for distribution of applications and schedules relating to certification; amending s. 403.5065, F.S.; revising provisions relating to the appointment of administrative law judges; amending s. 403.5066, F.S.; revising provisions relating to the determination of completeness for certain applications; creating s. 403.50663, F.S.; authorizing certain local governments and regional planning councils to hold an informational public meeting; providing requirements and procedures therefor; creating s. 403.50665, F.S.; requiring local governments to file certain land use determinations; providing requirements and procedures therefor; repealing s. 403.5067, F.S.; relating to the determination of sufficiency for certain applications; amending s. 403.507, F.S.; revising required statement provisions for affected agencies; amending s. 403.508, F.S.; revising provisions related to land use and certification proceedings; requiring certain notice; amending s. 403.509, F.S.; revising provisions related to the final disposition of certain applications; providing requirements and provisions with respect thereto; amending s. 403.511, F.S.; revising provisions related to the effect of certification for the construction and

operation of proposed power plants; providing that issuance of certification meets certain consistency requirements; creating s. 403.5112, F.S.; requiring filing of notice for certified corridor routes; providing requirements and procedures with respect thereto; creating s. 403.5113, F.S.; authorizing postcertification amendments for power plant site certification applications; providing requirements and procedures with respect thereto; amending s. 403.5115, F.S.; requiring certain public notice for activities related to power plant site application, certification, and land use determination; providing requirements and procedures with respect thereto; directing the Department of Environmental Protection to maintain certain lists and provide copies to of certain publications; amending s. 403.513, F.S.; revising provisions for judicial review of appeals related to power plant site certification; amending s. 403.516, F.S.; revising provisions relating to modification of certification for power plant sites; amending s. 403.517, F.S.; revising the provisions relating to supplemental applications for certain power plant sites; amending s. 403.5175, F.S.; revising provisions relating to existing power plant site certification; revising the procedure for reviewing and processing applications; requiring additional information to be included in certain applications; amending s. 403.518, F.S.; revising the allocation of proceeds from certain fees collected; providing for reimbursement of certain expenses; directing the Department of Environmental Protection to establish rules for determination of certain fees; eliminating certain operational license fees; providing that applications for power plant certification be processed under laws applicable at the time the application is filed; providing exceptions; amending s. 403.519, F.S.; directing the Public Service Commission to consider fuel diversity and reliability in certain determinations; providing for determination of need for nuclear power plants; providing an exemption from purchased power supply bid rule; creating s. 366.93, F.S.; providing definitions; requiring the Public Service Commission to implement rules related to nuclear power plant cost recovery; requiring a report; amending s. 403.52, F.S.; changing the short title to the "Florida Electric Transmission Line Siting Act"; amending s. 403.521, F.S.; revising legislative intent; amending s. 403.522, F.S.; revising definitions; defining the terms "licensee" and "maintenance and access roads"; amending s. 403.523, F.S.; revising powers and duties of the Department of Environmental Protection; requiring the department to collect and process fees, to prepare a project analysis, to act as clerk for the siting board, and to administer and manage the terms and conditions of the certification order and supporting documents and records; amending s. 403.524, F.S.; revising provisions for applicability, certification, and exemptions under the act; revising provisions for notice by an electric utility of its intent to construct an exempt transmission line; amending s. 403.525, F.S.; providing for powers and duties of the administrative law judge designated by the Division of Administrative Hearings to conduct the required hearings; amending s. 403.5251, F.S.; revising application procedures and schedules; providing for the formal date of filing an application for certification and commencement of the certification review process; requiring the department to prepare a proposed schedule of dates for determination of completeness and other significant dates to be followed during the certification process; providing for the formal date of application distribution; requiring the applicant to provide notice of filing the application; amending s. 403.5252, F.S.; revising timeframes and procedures for determination of completeness of the application; requiring the department to consult with affected agencies; revising requirements for the department to file a statement of its determination of completeness with the Division of Administrative Hearings, the applicant, and all parties within a certain time after distribution of the application; revising requirements for the applicant to file a statement with the department, the division, and all parties, if the department determines the application is not complete; providing for the statement to notify the department whether the information will be provided; revising timeframes and procedures for contests of the determination by the department; providing for parties to a hearing on the issue of completeness; amending s. 403.526, F.S.; revising criteria and procedures for preliminary statements of issues, reports, and studies; revising timeframes; requiring that the preliminary statement of issues from each affected agency be submitted to the department and the applicant; revising criteria for the Department of Community Affairs' report; requiring the Department of Transportation, the Public Service Commission, and any other affected agency to prepare a

project report; revising required content of the report; providing for notice of any nonprocedural requirements not listed in the application; providing for failure to provide such notification; providing for a recommendation for approval or denial of the application; providing that receipt of an affirmative determination of need is a condition precedent to further processing of the application; requiring that the department prepare a project analysis to be filed with the administrative law judge and served on all parties within a certain time; amending s. 403.527, F.S.; revising procedures and timeframes for the certification hearing conducted by the administrative law judge; revising provisions for notices and publication of notices, public hearings held by local governments, testimony at the public-hearing portion of the certification hearing, the order of presentations at the hearing, and consideration of certain communications by the administrative law judge; requiring the applicant to pay certain expenses and costs; requiring the administrative law judge to issue a recommended order disposing of the application; requiring that certain notices be made in accordance with specified requirements and within a certain time; requiring the Department of Transportation to be a party to the proceedings; providing for the administrative law judge to cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection upon request by the applicant or the department; requiring the department and the applicant to publish notice of such cancellation; providing for parties to submit proposed recommended orders to the department when the certification hearing has been canceled; providing that the department prepare a recommended order for final action by the siting board when the hearing has been canceled; amending s. 403.5271, F.S.; revising procedures and timeframes for consideration of proposed alternate corridors; revising notice requirements; providing for notice of the filing of the alternate corridor and revised time schedules; providing for notice to agencies newly affected by the proposed alternate corridor; requiring the person proposing the alternate corridor to provide all data to the agencies within a certain time; providing for a determination by the department that the data is not complete; providing for withdrawal of the proposed alternate corridor upon such determination; requiring that agencies file reports with the applicant and the department which address the proposed alternate corridor; requiring that the department file with the administrative law judge, the applicant, and all parties a project analysis of the proposed alternate corridor; providing that the party proposing an alternate corridor has the burden of proof concerning the certifiability of the alternate corridor; amending s. 403.5272, F.S.; revising procedures for informational public meetings; providing for informational public meetings held by regional planning councils; revising timeframes; amending s. 403.5275, F.S.; revising provisions for amendment to the application prior to certification; amending s. 403.528, F.S.; providing that a comprehensive application encompassing more than one proposed transmission line may be good cause for altering established time limits; amending s. 403.529, F.S.; revising provisions for final disposition of the application by the siting board; providing for the administrative law judge's or department's recommended order; amending s. 403.531, F.S.; revising provisions for conditions of certification; amending s. 403.5312, F.S.; requiring the applicant to file notice of a certified corridor route with the department; amending s. 403.5315, F.S.; revising the circumstances under which a certification may be modified after the certification has been issued; providing for procedures if objections are raised to the proposed modification; creating s. 403.5317, F.S.; providing procedures for changes proposed by the licensee after certification; requiring the department to determine within a certain time if the proposed change requires modification of the conditions of certification; requiring notice to the licensee, all agencies, and all parties of changes that are approved as not requiring modification of the conditions of certification; creating s. 403.5363, F.S.; requiring publication of certain notices by the applicant, the proponent of an alternate corridor, and the department; requiring the department to adopt rules specifying the content of such notices; amending s. 403.5365, F.S.; revising application fees and the distribution of fees collected; revising procedures for reimbursement of local governments and regional planning organizations; amending s. 403.537, F.S.; revising the schedule for notice of a public hearing by the Public Service Commission in order to determine the need for a transmission line; providing that the commission is the sole forum in which to determine the need for a transmission line; amending ss. 373.441, 403.061, 403.0876, and 403.809,

F.S.; conforming terminology to changes made by the act; repealing ss. 403.5253 and 403.5369, F.S., relating to determination of sufficiency of application or amendment to the application and the application of the act to applications filed before a certain date; requiring a report to the Governor and Legislature; providing appropriations; providing an effective date.

—was taken up, having been read the third time earlier today; now pending on motion by Rep. Vana to adopt Amendment 2 to Amendment 1.

The question recurred on the adoption of **Amendment 2 to Amendment 1**, which was withdrawn.

Representative(s) Littlefield offered the following:

(Amendment Bar Code: 865635)

Amendment 3 to Amendment 1 (with title amendment)—Remove lines 455-882 and insert:

220.187, those enumerated in s. 220.192, and those enumerated in s. 220.193.

Section 12. Section 220.192, Florida Statutes, is created to read:

220.192 Renewable energy technologies investment tax credit.--

(1) DEFINITIONS.--For purposes of this section, the term:

(a) "Biodiesel" means biodiesel as defined in s. 212.08(7)(ccc).

(b) "Eligible costs" means:

1. Seventy-five percent of all capital costs, operation and maintenance costs, and research and development costs incurred between July 1, 2006, and June 30, 2010, up to a limit of \$3 million per state fiscal year for all taxpayers, in connection with an investment in hydrogen-powered vehicles and hydrogen vehicle fueling stations in the state, including, but not limited to, the costs of constructing, installing, and equipping such technologies in the state.

2. Seventy-five percent of all capital costs, operation and maintenance costs, and research and development costs incurred between July 1, 2006, and June 30, 2010, up to a limit of \$1.5 million per state fiscal year for all taxpayers, and limited to a maximum of \$12,000 per fuel cell, in connection with an investment in commercial stationary hydrogen fuel cells in the state, including, but not limited to, the costs of constructing, installing, and equipping such technologies in the state.

3. Seventy-five percent of all capital costs, operation and maintenance costs, and research and development costs incurred between July 1, 2006, and June 30, 2010, up to a limit of \$6.5 million per state fiscal year for all taxpayers, in connection with an investment in the production, storage, and distribution of biodiesel (B10-B100) and ethanol (E10-E100) in the state, including the costs of constructing, installing, and equipping such technologies in the state. Gasoline fueling station pump retrofits for ethanol (E10-E100) distribution qualify as an eligible cost under this subparagraph.

(c) "Ethanol" means ethanol as defined in s. 212.08(7)(ccc).

(d) "Hydrogen fuel cell" means hydrogen fuel cell as defined in s. 212.08(7)(ccc).

(2) TAX CREDIT.--For tax years beginning on or after January 1, 2007, a credit against the tax imposed by this chapter shall be granted in an amount equal to the eligible costs. Credits may be used in tax years beginning January 1, 2007, and ending December 31, 2010, after which the credit shall expire. If the credit is not fully used in any one tax year because of insufficient tax liability on the part of the corporation, the unused amount may be carried forward and used in tax years beginning January 1, 2007, and ending December 31, 2012, after which the credit carryover expires and may not be used. A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group. Any eligible cost for which a credit is claimed and which is deducted or otherwise reduces federal taxable income shall be added back in computing adjusted federal income under s. 220.13.

(3) CORPORATE APPLICATION PROCESS.--Any corporation wishing to obtain tax credits available under this section must submit to the Department of Environmental Protection an application for tax credit that includes a complete description of all eligible costs for which the corporation is seeking

a credit and a description of the total amount of credits sought. The Department of Environmental Protection shall make a determination on the eligibility of the applicant for the credits sought and certify the determination to the applicant and the Department of Revenue. The corporation must attach the Department of Environmental Protection's certification to the tax return on which the credit is claimed. The Department of Environmental Protection shall be responsible for ensuring that the corporate income tax credits granted in each fiscal year do not exceed the limits provided for in this section. The Department of Environmental Protection is authorized to adopt the necessary rules, guidelines, and application materials for the application process.

(4) TAXPAYER APPLICATION PROCESS.--To claim a credit under this section, each taxpayer must apply to the Department of Environmental Protection for an allocation of each type of annual credit by the date established by the Department of Environmental Protection. The application form may be established by the Department of Environmental Protection and shall include an affidavit from each taxpayer certifying that all information contained in the application, including all records of eligible costs claimed as the basis for the tax credit, are true and correct. Approval of the credits under this section shall be accomplished on a first-come, first-served basis, based upon the date complete applications are received by the Department of Environmental Protection. A taxpayer shall submit only one complete application based upon eligible costs incurred within a particular state fiscal year. Incomplete placeholder applications will not be accepted and will not secure a place in the first-come, first-served application line. If a taxpayer does not receive a tax credit allocation due to the exhaustion of the annual tax credit authorizations, then such taxpayer may reapply in the following year for those eligible costs and will have priority over other applicants for the allocation of credits.

(5) ADMINISTRATION; AUDIT AUTHORITY; RECAPTURE OF CREDITS.--

(a) In addition to its existing audit and investigation authority, the Department of Revenue may perform any additional financial and technical audits and investigations, including examining the accounts, books, and records of the tax credit applicant, that are necessary to verify the eligible costs included in the tax credit return and to ensure compliance with this section. The Department of Environmental Protection shall provide technical assistance when requested by the Department of Revenue on any technical audits or examinations performed pursuant to this section.

(b) It is grounds for forfeiture of previously claimed and received tax credits if the Department of Revenue determines, as a result of either an audit or examination or from information received from the Department of Environmental Protection, that a taxpayer received tax credits pursuant to this section to which the taxpayer was not entitled. The taxpayer is responsible for returning forfeited tax credits to the Department of Revenue, and such funds shall be paid into the General Revenue Fund of the state.

(c) The Department of Environmental Protection may revoke or modify any written decision granting eligibility for tax credits under this section if it is discovered that the tax credit applicant submitted any false statement, representation, or certification in any application, record, report, plan, or other document filed in an attempt to receive tax credits under this section. The Department of Environmental Protection shall immediately notify the Department of Revenue of any revoked or modified orders affecting previously granted tax credits. Additionally, the taxpayer must notify the Department of Revenue of any change in its tax credit claimed.

(d) The taxpayer shall file with the Department of Revenue an amended return or such other report as the Department of Revenue prescribes by rule and shall pay any required tax and interest within 60 days after the taxpayer receives notification from the Department of Environmental Protection that previously approved tax credits have been revoked or modified. If the revocation or modification order is contested, the taxpayer shall file an amended return or other report as provided in this paragraph within 60 days after a final order is issued following proceedings.

(e) A notice of deficiency may be issued by the Department of Revenue at any time within 3 years after the taxpayer receives formal notification from the Department of Environmental Protection that previously approved tax credits have been revoked or modified. If a taxpayer fails to notify the Department of

Revenue of any changes to its tax credit claimed, a notice of deficiency may be issued at any time.

(6) RULES.--The Department of Revenue shall have the authority to adopt rules relating to the forms required to claim a tax credit under this section, the requirements and basis for establishing an entitlement to a credit, and the examination and audit procedures required to administer this section.

(7) PUBLICATION.--The Department of Environmental Protection shall determine and publish on a regular basis the amount of available tax credits remaining in each fiscal year.

Section 13. Section 220.193, Florida Statutes, is created to read:
220.193 Florida renewable energy production credit.--

(1) The purpose of this section is to encourage the development and expansion of facilities that produce renewable energy in Florida.

(2) As used in this section, the term:

(a) "Commission" shall mean the Public Service Commission.

(b) "Department" shall mean the Department of Revenue.

(c) "Expanded facility" shall mean a Florida renewable energy facility that increases its electrical production and sale by more than 5 percent above the facility's electrical production and sale during the 2005 calendar year.

(d) "Florida renewable energy facility" shall mean a facility in the state that produces electricity for sale from renewable energy, as defined in s. 377.803.

(e) "New facility" shall mean a Florida renewable energy facility that is operationally placed in service after May 1, 2006.

(3) An annual credit against the tax imposed by this section shall be allowed to a taxpayer, based on the taxpayer's production and sale of electricity from a new or expanded Florida renewable energy facility. For a new facility, the credit shall be based on the taxpayer's sale of the facility's entire electrical production. For an expanded facility, the credit shall be based on the increases in the facility's electrical production that are achieved after May 1, 2006.

(a) The credit shall be \$0.01 for each kilowatt-hour of electricity produced and sold by the taxpayer to an unrelated party during a given tax year.

(b) The credit may be claimed for electricity produced and sold on or after January 1, 2007. Beginning in 2008 and continuing until 2011, each taxpayer claiming a credit under this section must first apply to the department by February 1 of each year for an allocation of available credit. The department, in consultation with the commission, shall develop an application form. The application form shall, at a minimum, require a sworn affidavit from each taxpayer certifying the increase in production and sales that form the basis of the application and certifying that all information contained in the application is true and correct.

(c) If the amount of credits applied for each year exceeds \$5 million, the department shall award to each applicant a prorated amount based on each applicant's increased production and sales and the increased production and sales of all applicants.

(d) If the credit granted pursuant to this section is not fully used in one year because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year, after applying the other credits and unused credit carryovers in the order provided in s. 220.02(8).

(e) A taxpayer that files a consolidated return in this state as a member of an affiliated group under s. 220.131(1) may be allowed the credit on a consolidated return basis up to the amount of tax imposed upon the consolidated group.

(f)1. Tax credits that may be available under this section to an entity eligible under this section may be transferred after a merger or acquisition to the surviving or acquiring entity and used in the same manner with the same limitations.

2. The entity or its surviving or acquiring entity as described in subparagraph 1. may transfer any unused credit in whole or in units of no less than 25 percent of the remaining credit. The entity acquiring such credit may use it in the same manner and with the same limitations under this section. Such transferred credits may not be transferred again although they may succeed to a surviving or acquiring entity subject to the same conditions and limitations as described in this section.

3. In the event the credit provided for under this section is reduced as a result of an examination or audit by the department, such tax deficiency shall be recovered from the first entity or the surviving or acquiring entity to have claimed such credit up to the amount of credit taken. Any subsequent deficiencies shall be assessed against any entity acquiring and claiming such credit, or in the case of multiple succeeding entities in the order of credit succession.

(g) Notwithstanding any other provision of this section, credits for the production and sale of electricity from a new or expanded Florida renewable energy facility may be earned between January 1, 2007 and June 30, 2010. The combined total amount of tax credits which may be granted for all taxpayers under this section is limited to \$5 million per state fiscal year.

(h) A taxpayer claiming a credit under this section shall be required to add back to net income that portion of its business deductions claimed on its federal return paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under this section.

(i) A taxpayer claiming credit under this section may not claim a credit under s. 220.192. A taxpayer claiming credit under s. 220.192 may not claim a credit under this section.

(4) The department may adopt rules to implement and administer this section, including rules prescribing forms, the documentation needed to substantiate a claim for the tax credit, and the specific procedures and guidelines for claiming the credit.

(5) This section shall take effect upon becoming law and shall apply to tax years beginning on and after January 1, 2007.

Section 14. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.--

(1) The term "adjusted federal income" means an amount equal to the taxpayer's taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) Additions.--There shall be added to such taxable income:

1. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. The provisions of this subparagraph shall expire and be void on June 30, 2005.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. The provisions of this subparagraph shall expire and be void on June 30, 2005.

6. The amount of emergency excise tax paid or accrued as a liability to this state under chapter 221 which tax is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. The amount taken as a credit for the taxable year under s. 220.187.

12. The amount taken as a credit for the taxable year under s. 220.192.

13. The amount taken as a credit for the taxable year under s. 220.193.

Section 15. Subsection (2) of section 186.801, Florida Statutes, is amended to read:

186.801 Ten-year site plans.--

(2) Within 9 months after the receipt of the proposed plan, the commission shall make a preliminary study of such plan and classify it as "suitable" or "unsuitable." The commission may suggest alternatives to the plan. All findings of the commission shall be made available to the Department of Environmental Protection for its consideration at any subsequent electrical power plant site certification proceedings. It is recognized that 10-year site plans submitted by an electric utility are tentative information for planning purposes only and may be amended at any time at the discretion of the utility upon written notification to the commission. A complete application for certification of an electrical power plant site under chapter 403, when such site is not designated in the current 10-year site plan of the applicant, shall constitute an amendment to the 10-year site plan. In its preliminary study of each 10-year site plan, the commission shall consider such plan as a planning document and shall review:

(a) The need, including the need as determined by the commission, for electrical power in the area to be served.

(b) The effect on fuel diversity within the state.

(c) ~~(b)~~ The anticipated environmental impact of each proposed electrical power plant site.

(d) ~~(c)~~ Possible alternatives to the proposed plan.

(e) ~~(d)~~ The views of appropriate local, state, and federal agencies, including the views of the appropriate water management district as to the availability of water and its recommendation as to the use by the proposed plant of salt water or fresh water for cooling purposes.

(f) ~~(e)~~ The extent to which the plan is consistent with the state comprehensive plan.

(g) ~~(f)~~ The plan with respect to the information of the state on energy availability and consumption.

Section 16. Subsection (6) of section 366.04, Florida Statutes, is amended to read:

366.04 Jurisdiction of commission.--

(6) The commission shall further have exclusive jurisdiction to prescribe and enforce safety standards for transmission and distribution facilities of all public electric utilities, cooperatives organized under the Rural Electric Cooperative Law, and electric utilities owned and operated by municipalities. In adopting safety standards, the commission shall, at a minimum:

(a) Adopt the 1984 edition of the National Electrical Safety Code (ANSI C2) as initial standards; and

(b) Adopt, after review, any new edition of the National Electrical Safety Code (ANSI C2).

The standards prescribed by the current 1984 edition of the National Electrical Safety Code (ANSI C2) shall constitute acceptable and adequate requirements for the protection of the safety of the public, and compliance with the minimum requirements of that code shall constitute good engineering practice by the utilities. The administrative authority referred to in the 1984 edition of the National Electrical Safety Code is the commission. However, nothing herein shall be construed as superseding, repealing, or amending the provisions of s. 403.523(1) and (10).

Section 17. Subsections (1) and (8) of section 366.05, Florida Statutes, are amended to read:

366.05 Powers.--

(1) In the exercise of such jurisdiction, the commission shall have power to prescribe fair and reasonable rates and charges, classifications, standards of quality and measurements, including the ability to adopt construction standards that exceed the National Electrical Safety Code, for purposes of ensuring the reliable provision of service, and service rules and regulations to be observed by each public utility; to require repairs, improvements, additions, replacements, and extensions to the plant and equipment of any public utility

when reasonably necessary to promote the convenience and welfare of the public and secure adequate service or facilities for those reasonably entitled thereto; to employ and fix the compensation for such examiners and technical, legal, and clerical employees as it deems necessary to carry out the provisions of this chapter; and to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement and enforce the provisions of this chapter.

(8) If the commission determines that there is probable cause to believe that inadequacies exist with respect to the energy grids developed by the electric utility industry, including inadequacies in fuel diversity or fuel supply reliability, it shall have the power, after proceedings as provided by law, and after a finding that mutual benefits will accrue to the electric utilities involved, to require installation or repair of necessary facilities, including generating plants and transmission facilities, with the costs to be distributed in proportion to the benefits received, and to take all necessary steps to ensure compliance. The electric utilities involved in any action taken or orders issued pursuant to this subsection shall have full power and authority, notwithstanding any general or special laws to the contrary, to jointly plan, finance, build, operate, or lease generating and transmission facilities and shall be further authorized to exercise the powers granted to corporations in chapter 361. This subsection shall not supersede or control any provision of the Florida Electrical Power Plant Siting Act, ss. 403.501-403.518.

Section 18. Section 366.92, Florida Statutes, is created to read:

366.92 Florida renewable energy policy.--

(1) It is the intent of the Legislature to promote the development of renewable energy; protect the economic viability of Florida's existing renewable energy facilities; diversify the types of fuel used to generate electricity in Florida; lessen Florida's dependence on natural gas and fuel oil for the production of electricity; minimize the volatility of fuel costs; encourage investment within the state; improve environmental conditions; and at the same time, minimize the costs of power supply to electric utilities and their customers.

(2) For the purposes of this section, "Florida renewable energy resources" shall mean renewable energy, as defined in s. 377.803, that is produced in Florida.

(3) The commission may adopt appropriate goals for increasing the use of existing, expanded, and new Florida renewable energy resources. The commission may change the goals. The commission may review and reestablish the goals at least

===== TITLE AMENDMENT =====

Remove line(s) 4328-4339 and insert:

amending s. 220.13, F.S.; providing additions to the definition of "adjusted federal income"; amending s. 186.801, F.S.; revising the provisions of electric utility 10-year site plans to include the effect on fuel diversity; amending s. 366.04, F.S.; revising the safety standards for public utilities; amending s. 366.05, F.S.; authorizing the Public Service Commission to adopt certain construction standards and make certain determinations; directing the commission to conduct a study and provide a report by a certain date; creating s. 366.92, F.S.; relating to the Florida renewable energy policy; providing intent; providing definitions; authorizing the Florida

Rep. Littlefield moved the adoption of the amendment to the amendment, which was adopted.

Representative(s) Sobel offered the following:

(Amendment Bar Code: 818417)

Amendment 4 to Amendment 1—Remove lines 2561-2584 and insert:

3. A description of and a nonbinding estimate of the cost of the nuclear power plant, including the cost for waste disposal and a comparison of costs for other fuel sources and energy efficiency.

4. The annualized base revenue requirement for the first 12 months of operation of the nuclear power plant.

5. Information on whether there were any discussions with any electric utilities regarding ownership of a portion of the plant by such electric utilities.

(b) In making its determination, the commission shall take into account matters within its jurisdiction, which it deems relevant, including whether the nuclear power plant will:

1. Provide needed base-load capacity.
2. Enhance the reliability of electric power production within the state by improving the balance of power plant fuel diversity and reducing Florida's dependence on fuel oil and natural gas.
3. Provide the most cost-effective source of power including conservation and efficiency measures, taking into account the need to improve the balance of fuel diversity, reduce Florida's dependence on fuel oil and natural gas, reduce air emission compliance costs, and contribute to the long-term stability and reliability of the electric grid.

(c) Rule 25-22.082, Florida Administrative Code, shall be applicable to a nuclear power plant sited under this act, including provisions for cost recovery, and an applicant shall be required to secure competitive

Rep. Sobel moved the adoption of the amendment to the amendment, which was adopted.

Representative Hasner offered the following:

(Amendment Bar Code: 089757)

Amendment 5 to Amendment 1—Remove line 4163 and insert: programs, and current and projected energy and cost savings. The report must also set forth recommendations on a rebate program for purchases of energy-efficient appliances.

Rep. Hasner moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted by the required two-thirds vote.

Reconsideration

On motion by Rep. Hasner, the House reconsidered the vote by which Amendment 1, as amended, was adopted.

On motion by Rep. Hasner, the House reconsidered the vote by which Amendment 4 to Amendment 1 was adopted. The question recurred on the adoption of the amendment to the amendment, which failed of adoption.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted by the required two-thirds vote.

THE SPEAKER IN THE CHAIR

The question recurred on the passage of CS for CS for CS for SB 888. The vote was:

Session Vote Sequence: 1121

Speaker Bense in the Chair.

Yeas—119

Adams	Bean	Brutus	Dean
Allen	Bendross-Mindingall	Bullard	Detert
Altman	Bense	Cannon	Domino
Ambler	Benson	Carroll	Evers
Anderson	Berfield	Clarke	Farkas
Antone	Bilirakis	Coley	Fields
Arza	Bogdanoff	Cretul	Flores
Attkisson	Bowen	Culp	Galvano
Ausley	Brandenburg	Cusack	Gannon
Barreiro	Brown	Davis, D.	Garcia
Baxley	Brummer	Davis, M.	Gardiner

Gelber	Jordan	Needelman	Ryan
Gibson, A.	Joyner	Negron	Sands
Gibson, H.	Justice	Patterson	Sansom
Glorioso	Kendrick	Peterman	Seiler
Goldstein	Kottkamp	Pickens	Simmons
Goodlette	Kravitz	Planas	Slosberg
Gottlieb	Kreegel	Poppell	Smith
Grant	Kyle	Porth	Sobel
Greenstein	Legg	Proctor	Sorensen
Grimsley	Littlefield	Quinones	Stansel
Harrell	Llorente	Reagan	Stargel
Hasner	Lopez-Cantera	Rice	Taylor
Hays	Machek	Richardson	Traviesa
Henriquez	Mahon	Rivera	Troutman
Holloway	Mayfield	Robaina	Vana
Homan	McInvale	Roberson	Waters
Hukill	Meadows	Ross	Williams
Jennings	Mealor	Rubio	Zapata
Johnson	Murzin	Russell	

Nays—1

Bucher

So the bill passed, as amended, and was immediately certified to the Senate.

On motion by Rep. Goodlette, the House moved to the order of—

House Resolutions

By Representative Bense—

HR 9141—A resolution in honor of John Phelps, Clerk of the Florida House of Representatives.

WHEREAS, John Phelps began his dedicated service to the Florida House of Representatives in 1974 as a Legislative Fellow in the House Intern Program, and

WHEREAS, John Phelps has served the Florida House in a multitude of capacities since 1974, including Legislative Analyst, Executive Assistant to the Speaker, Staff Director of the Rules Committee, and Deputy Clerk, and in 1986 was elected Clerk of the Florida House of Representatives, and

WHEREAS, John Phelps has served as Clerk of the Florida House of Representatives during an era of great change and has been in the forefront of implementing technological advances in modernizing the operation of the Clerk's Office during the past 20 years, and

WHEREAS, John Phelps has distinguished himself nationally among other Legislative Clerks and brought great credit and respect to the Florida House of Representatives by holding many national offices, including Chair of the Mason's Manual Commission, the Staff Chair of the National Conference of State Legislatures, and the President of the American Society of Legislative Clerks and Secretaries, and

WHEREAS, John Phelps has further distinguished himself on an international level as a consultant for the Center for International Development, a consultant for AMIDEAST, and Chair of the International Task Force of the Legislative Staff Coordinating Committee for the National Conference of State Legislatures, working with legislative institutions in Iraq, Palestine, Ghana, Zambia, Zimbabwe, Costa Rica, El Salvador, Guatemala, and Honduras, and

WHEREAS, John Phelps has been recognized for outstanding services as the recipient of numerous awards for legislative achievement, including the 2005 Award for Distinguished Service presented by the American Society of Legislative Clerks and Secretaries, and

WHEREAS, the example set by John Phelps of personal dignity, of meticulous attention to detail, and of respect for the integrity of proper legislative procedure has inspired staff and legislators for more than 30 years, and

WHEREAS, the innovations implemented by John Phelps have led to recognition of the Florida Legislature as a national leader among state legislatures, and

WHEREAS, John Phelps has served the following Speakers as Clerk of the Florida House of Representatives: Jon Mills, Tom Gustafson, T.K. Wetherell, Bo Johnson, Peter Rudy Wallace, Daniel Webster, John Thrasher, Tom Feeney, Johnnie Byrd, and Allan Bense, and

WHEREAS, John Phelps has always lent a guiding hand to all members, has been a source of steady wisdom, and has been a great friend to the members and staff of the Florida House of Representatives and to all Floridians, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives commends John Phelps, a true and dedicated Florida Scholar, archivist, and participant in Florida history, on his service to the State of Florida and hereby expresses its heartfelt appreciation and affection.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to John Phelps as a tangible token of the sentiments expressed herein.

—was read the first time by title. On motion by Rep. Goodlette, the rules were waived and the resolution was read the second time in full.

Remarks Honoring John B. Phelps

Rep. Ryan: Members, over the last couple of weeks, myself and many others have given their farewell remarks to this Chamber, and in the course of doing so, we have mentioned John Phelps, our Clerk. And the reason I think that so many of us have done so, is our recognition that he is such an indispensable part of the way this Chamber operates.

In our country we are controlled by the rule of law: that we are protected by certain rights, that we have certain duties, and there are certain functions that we follow to ensure the orderly operations of our government and our society. And, in this Chamber, in this House, we are also controlled by a set of rules, and those rules protect the members and by extension it protects the people that we represent, to be sure that our voices are heard. And secondly, to be certain that when we pass laws that there is a deliberation, there is a process by which we are heard, amendments are taken up, and the best product that we can deliver comes out of this House. The person who makes that happen, who tells us the rules, is our Clerk. And that person has to be somebody who is fair-minded, who will deliberate, who will not be driven by political considerations. And you, John Phelps, you've done that for over the last two decades, and for that we are all most grateful.

Now, our Rules Chairs, they will come and go and some of us may feel that their interpretations are driven by political considerations, but that's what happens in a political process, and we know that when the Democrats were in the majority that our Republican colleagues felt that the rules were used against them. That's what happens in politics. But that can't happen with respect to the Clerk. The Clerk has got to be fair. The Clerk has got to be knowledgeable to get the job done. And, one of the things that's so remarkable about you, John, is how well you know not only the rules we use today but the rules we used in the past: the Senate rules, *Mason's Manual*, everything that are the building blocks for the operation of this House, of this Chamber.

And so, on behalf of myself, many other members that you've helped over the years, and staff that you've helped over the years, I give you my sincere thanks for your hard work. You have certainly been a tremendous asset to this Chamber and to the state of Florida. We'll miss you. [applause] [standing ovation]

Rep. Ross: Members, it's an honor for me to recognize my good friend, John Phelps. And in doing so I thought I would do a little research on him and

asked for a copy of his resume. The abbreviated version is five pages long. But it's interesting—I see now why he is so well qualified to lead us as the Clerk of this House, and has done so well in distinguished fashion for 20 years, because his background includes Director of Primate Neuro Sciences Laboratory, Florida Presbyterian College. [laughter] I can think of no better proving ground [laughter] for the Florida House of Representatives, than working with primates. [laughter]

In his resume, it's interesting, he has 15 publications. He's probably been a faculty member 37-38 different times. And being from Lakeland, we have a beautiful lake downtown that we were given years ago from one of the Queens of England, the swans. And the swans are beautiful and they glide across the pond. But what we don't see is underneath the water; what's actually happening is these web feet are going just furiously underwater. And if you look at the rostrum here you see a water level where the Speaker is and you see this swan, and underneath [motioning towards the Clerk's desk] you see the web feet moving so furiously, but only to make sure that the swan continues to be so graceful and stay on course. And he has done that for us.

You know, I had an opportunity to participate in some of the programs of the NCSL, one of which was the partnership of parliaments and I had a chance to go visit various legislators or landtags in Germany. When I got there, I couldn't speak the language, of course, but everywhere we went, "Do you know John Phelps? Do you know John Phelps?" Boy, do we have John Phelps stories. John is probably one of the most widely known Clerks of any legislative or parliament body in this world. If you go to a National Conference of State Legislatures, where he served as chairman of the staff in 1999-2000, everybody knows John Phelps. My advice to you when you go to these NCSL functions: make sure you put on your name tag, "Friend of John Phelps." You'll have immediate access everywhere. He has been a tremendous resource, not only in the state of Florida, but he has traveled extensively, as you know, throughout the world, as was evidenced in the resolution.

When we look around, we see a building, we see, you know, bricks and mortar, that without John as a Clerk, they are just that, a building. Without John as a Clerk, we are nothing more than a herd of legislators trying to find a way to make policy. But with him here, this is a sanctified institution. With him here, we are distinguished lawmakers who follow age-old traditions and rules of procedure. And, to give you an example of that, back under Speaker Feeney, we had a situation where the Speaker wanted to call a Committee of the Whole to deal with an issue concerning the sales tax, a constitutional measure. And we were in the dead heat of the tail end of session, but we couldn't meet for a committee so we decided to do a Committee as a Whole. I was then serving in the Rules Committee with Representative Goodlette and I was charged with the responsibility of researching the Committee of the Whole. And I went to John Phelps, and he gave to me, for research purposes, an actual publication of a book that was printed in 1648, from England, *The Rules of Parliament*, that went to the genesis for the creation of the Committee as a Whole. This man has more knowledge than any human being on rules of procedure, on *Mason's*, on parliamentary procedure. He is a well-known renowned influence, sought-after scholar. We will miss you very much, and I'm glad to call you my friend as well. [applause] [standing ovation]

Rep. Smith: John, I can understand what you're going through after 30 years of serving in this Chamber, I can understand the thought process that went into finally retiring after 30 years. Because after serving eight years as Chris Smith, I wouldn't want to carry on without me, either. So, I appreciate you leaving after all this time. But, first off, and I was reminded by Representative Ausley and Representative Richardson, who actually represent the Phelps family—you may have this later, but they wanted to, as his state reps—to acknowledge the great work he has done in Tallahassee, and more importantly the great work that his entire family has done in Tallahassee. And we really want to thank them for being great and active members of the

community and really applaud the family of John Phelps that, I think, are here today, also. [applause]

Representative Bilirakis, in his comments today, said a quote by Ronald Reagan which I think really talks about John Phelps, when he talked about how much can get done if you don't care who takes the credit. This is a man who dedicated his entire career making sure things get done and others get the credit. He's been in front of this Chamber and he's worked tirelessly to make sure that legislators from around this state get the credit for good works done. And that takes a special person to dedicate their lives to staying in the background and making sure that others can get the credit.

And I think today of all days, as we see what's happening, the best John Phelps story I have is looking at what's happening across the hall back in '98. We had a similar situation here where we, as the minority caucus, decided to read the bills in the House, and we were upset back here over some things, and those in the front were upset because we were upset. When everyone was losing their heads and we came up with this constitutional provision to read the bill and everyone's going crazy, it was John Phelps that stood up quietly, called his staff over, explained what was going on, and had his staff start reading the bills, looked down as the majority leader ran up front, saying how can he do this, what's going on. He leaned over, as he's done with each and every one of us, calmly explained, this is how it's done, this is what's going on, and I suggest you guys discuss it, because we're going to read until they stop us. He didn't come up with a way of this is how you can get around it, and he didn't come up with anything because he was with the majority or with the minority. He explained what was going on and gave a suggestion that we discuss it and we come to a conclusion. And an hour later, we came to a conclusion and we stopped. But that's the type of person that he is. Whether he's serving in a Democratic administration or a Republican administration, he serves the people of Florida, he serves this Chamber. And it's a great loss to this Chamber the day that you decide to leave, and we appreciate all that you've done. Thank you. [standing ovation]

Rep. Goodlette: Thank you, Clerk, for the dedication that you've shown for so many years. I want to just make a few brief remarks, and I would be remiss if I didn't echo some of what has already been said because all of those of us who have grown to know and love John Phelps, as we have, for me in the last eight years, you know. For me, these farewell comments are hard, because they're about losing someone who has made such a dedicated effort to this institution for such an extended period of time. The farewell remarks that I may have occasion to make later in the week will be easier for me than to say goodbye to someone who has really, truly been a Clerk who, as Representative Bilirakis said this morning, is a great Clerk. I mean there is no better way to describe John Phelps than great. He has been cool, he has been calm, he is collected, under some of the most difficult and stressful situations that could ever be occasioned upon any person, and he has done that with such incredible dignity, with such incredible respect, and with such incredible integrity.

I think that it's worth noting that, yes, John Phelps has been our Clerk for 20 years. Yes, John Phelps has served 10 Speakers, but it's interesting that John Phelps has served five Democratic Speakers and he has served five Republican Speakers and he has served all ten of them exactly the same way. That, my friends, is a tribute that very few are deserving of, but no one is deserving of that moreso than our friend, John Phelps.

I want to just tell you that at the request of the Speaker, I have been serving for the last couple of years on the executive committee of the National Conference of State Legislatures, the NCSL, and I quickly learned, in my relationship with some of the people who are at the higher echelons of that wonderful organization, the incredible respect that they have for John Phelps for some of the same reasons, members, that we have gained respect for him over the course of the time that we have been so privileged for him to serve in this important position.

The occasion of his retirement is going to create a challenge for Marco Rubio and for Ray Sansom and for Dean Cannon going forward. But I know

that with his help, and he will help identify who his successor in this important position might be, and I'm sure with his assistance and with his advice and his council and his knowledge of so many great Clerks throughout the United States of America, if that's the kind of a search process that is instituted, he will continue to provide the leadership that he has provided to us in the past, even in the transition to his successor. Let me just conclude, Mr. Speaker, by saying again to all of you, and to John Phelps, we will miss you tremendously. This institution will miss you tremendously. You are not replaceable. Someone else will serve as Clerk, but no one will replace John Phelps. And we just thank you for your dedicated service. [standing ovation]

On motion by Rep. Bense, the board was opened [Session Vote Sequence: 1122] and the following members were recorded as cosponsors of the resolution, along with Rep. Bense: Reps. Adams, Allen, Altman, Ambler, Anderson, Antone, Arza, Attkisson, Ausley, Barreiro, Baxley, Bean, Bendross-Mindingall, Benson, Berfield, Bilirakis, Bogdanoff, Bowen, Brandenburg, Brown, Brummer, Brutus, Bucher, Bullard, Cannon, Carroll, Clarke, Coley, Cretul, Culp, Cusack, D. Davis, M. Davis, Dean, Detert, Domino, Evers, Farkas, Fields, Flores, Galvano, Gannon, Garcia, Gardiner, Gelber, A. Gibson, H. Gibson, Glorioso, Goldstein, Goodlette, Gottlieb, Grant, Greenstein, Grimsley, Harrell, Hasner, Hays, Henriquez, Holloway, Homan, Hukill, Jennings, Johnson, Jordan, Joyner, Justice, Kendrick, Kottkamp, Kravitz, Kreegel, Kyle, Legg, Littlefield, Llorente, Lopez-Cantera, Machek, Mahon, Mayfield, McInvale, Meadows, Mealar, Murzin, Needelman, Negron, Patterson, Peterman, Pickens, Planas, Poppell, Porth, Proctor, Quinones, Reagan, Rice, Richardson, Rivera, Robaina, Roberson, Ross, Rubio, Russell, Ryan, Sands, Sansom, Seiler, Simmons, Slosberg, Smith, Sobel, Sorensen, Stansel, Stargel, Taylor, Traviesa, Troutman, Vana, Waters, Williams, and Zapata.

The question recurred on the adoption of **HR 9141**, which was adopted. The vote was:

Session Vote Sequence: 1123

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealar	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

Remarks

The Speaker recognized John B. Phelps, Clerk of the House, who gave brief farewell remarks.

Clerk Phelps: If I may, Mr. Speaker, I will speak from this rostrum, which has been my home in this place for 76 sessions as Clerk. Recalling the Speaker's early extension upon the beatitudes to include, "Blessed are the short-winded," I will be as brief as possible—not Gettysburg Address brief—but brief.

First of all, Mr. Speaker, the records of the House indicate that 546 Representatives have passed through these halls since I joined the staff in 1974. There is no way at this point that I can thank them all. But, of even the earliest of this pantheon of members, I have clear and affectionate memories, having witnessed their many acts of courage and compassion on this floor.

To these members, and to you, I owe my thanks for granting me two of life's greatest gifts: a long and rich professional life of service to my country and my state and the opportunity to enjoy the fellowship of the great men and women who have served in this place. No one could ask for more. And for these gifts, I am deeply grateful.

I know you are familiar with the Clerk's staff that works at the desk during sessions, but that represents only a fraction of the people and the responsibilities of this office. As has been alluded to earlier, behind the scenes and over many late nights, they and their colleagues work as a tight-knit team doing the meticulous labor of recording the acts and decisions of this Chamber. Errors are not an option. That you can take the quality of their work for granted is the highest praise they can receive. They are vigilant not because someone is looking over their shoulder. They are vigilant because they know their work gives you the tools that you need to perform your legislative duties and because the record they create is the legal evidence of this body's actions. These are special people with exceptional skills, and they take their responsibilities very seriously. I have to tell you that I once tried to verify *Journal* copy and they threw me out of the room because I wasn't very good at it. Not once over the past 20 years has the accuracy of this staff's work been successfully challenged in court. They and I are justly proud of that achievement.

Diane Bell, my Assistant Clerk, has stood faithfully at my side for 17 years. She has devoted her heart and soul to this institution, and I cannot thank her enough for her contributions to the office and for her loyal support of me, personally. There are many others in my office deserving of recognition, some of whom have been with the House for over 15 years. They work in the *Calendar*, *Journal*, Messages, Engrossing and Enrolling, Print Shop, Documents Distribution, Records Retention, Photography, and Verification sections of our office. After working with them all these years, they have become a part of my extended family and I care about them as family.

In closing, Mr. Speaker, if I may, a few words about you. At the Organization Session in 2004, which seems like only yesterday, you said your legacy would be to have no legacy. Well, I am afraid you fell short on this one. I have held this office as long as any Clerk in Florida history and served on the staff for 32 years. From this long-term perspective, I believe I can say you have fulfilled the maxim of Heraclitus that, "A man's character is his destiny." You will live long in memory among the greatest of the men who have led this Chamber. In spite of your stated intentions to the contrary, your legacy will be one of enormous influence. It will be remembered as one of fairness, respect for all members and staff, adherence to the rules, a reverence for the traditions of this Chamber and perhaps, above all, for your profound humanity. You have shown beyond question that a democratic assembly works best when led with transparency and trust. It is a message that I will proudly carry to countries struggling to become democracies.

Mr. Speaker, members, and, by extension, your predecessors, please accept my gratitude for your support, your friendship, and your kindness over many years. Heraclitus also said, "No man ever steps in the same river twice, for it is not the same river and he is not the same man." And so, the time has come for me to recede into this Chamber's history, a place in which I am very comfortable, and to make way for a new generation of leadership. At the end of a term that did so much to affirm my faith in democratic values, I do so proudly and with a very full heart. Thank you. [standing ovation]

Speaker Bense: Well, Clerk, after that speech you might want to consider politics. Once again, we appreciate your years of service. We're grateful to you.

Remarks

The Speaker recognized Rep. Brummer, who gave brief farewell remarks.

Motions

On motion by Rep. Ausley, remarks made by Clerk John B. Phelps during his farewell speech were ordered spread upon the *Journal*.

On motion by Rep. Goodlette, the rules were waived and the House agreed to take up for consideration the bills on the Consent Calendar.

Consent Calendar

CS for CS for SB 170—A bill to be entitled An act relating to administration of medication; amending s. 393.506, F.S.; deleting requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizing direct service providers to administer medication to clients or to supervise the self-administration of medication by clients; providing requirements for direct service providers to demonstrate competency regarding supervising the self-administration of medication by clients or administering medication to clients; requiring the Agency for Persons with Disabilities to adopt rules to establish standards and procedures governing the supervision of self-administered medications and the administration of medications by direct service providers; providing an effective date.

—was read the second time by title.

On motion by Rep. Hays, CS for CS for SB 170 was substituted for HB 181. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Hays, the rules were waived and CS for CS for SB 170 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1124

Speaker Bense in the Chair.

Yeas—120

Adams	Baxley	Brown	Culp
Allen	Bean	Brummer	Cusack
Altman	Bendross-Mindingall	Brutus	Davis, D.
Ambler	Bense	Bucher	Davis, M.
Anderson	Benson	Bullard	Dean
Antone	Berfield	Cannon	Detert
Arza	Bilirakis	Carroll	Domino
Attkisson	Bogdanoff	Clarke	Evers
Ausley	Bowen	Coley	Farkas
Barreiro	Brandenburg	Cretul	Fields

Flores	Homan	Meadows	Rubio
Galvano	Hukill	Mealor	Russell
Gannon	Jennings	Murzin	Ryan
Garcia	Johnson	Needelman	Sands
Gardiner	Jordan	Negron	Sansom
Gelber	Joyner	Patterson	Seiler
Gibson, A.	Justice	Peterman	Simmons
Gibson, H.	Kendrick	Pickens	Slosberg
Glorioso	Kottkamp	Planas	Smith
Goldstein	Kravitz	Poppell	Sobel
Goodlette	Kreegel	Porth	Sorensen
Gottlieb	Kyle	Proctor	Stansel
Grant	Legg	Quinones	Stargel
Greenstein	Littlefield	Reagan	Taylor
Grimsley	Llorente	Rice	Traviesa
Harrell	Lopez-Cantera	Richardson	Troutman
Hasner	Machek	Rivera	Vana
Hays	Mahon	Robaina	Waters
Henriquez	Mayfield	Roberson	Williams
Holloway	McInvale	Ross	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 202—A bill to be entitled An act relating to consumer protection; amending ss. 501.203 and 501.204, F.S.; changing obsolete dates; reenacting and amending s. 501.207, F.S., relating to remedies of the enforcing authority under the Florida Deceptive and Unfair Trade Practices Act; providing that the court may order actions brought under that act on behalf of an enterprise; creating s. 501.972, F.S.; providing requirements for protection of a creation not subject to copyright; providing an effective date.

—was read the second time by title.

On motion by Rep. Seiler, CS for SB 202 was substituted for HB 637. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Seiler, the rules were waived and CS for SB 202 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1125

Speaker Bense in the Chair.

Yeas—120

Adams	Clarke	Grimsley	Mealor
Allen	Coley	Harrell	Murzin
Altman	Cretul	Hasner	Needelman
Ambler	Culp	Hays	Negron
Anderson	Cusack	Henriquez	Patterson
Antone	Davis, D.	Holloway	Peterman
Arza	Davis, M.	Homan	Pickens
Attkisson	Dean	Hukill	Planas
Ausley	Detert	Jennings	Poppell
Barreiro	Domino	Johnson	Porth
Baxley	Evers	Jordan	Proctor
Bean	Farkas	Joyner	Quinones
Bendross-Mindingall	Fields	Justice	Reagan
Bense	Flores	Kendrick	Rice
Benson	Galvano	Kottkamp	Richardson
Berfield	Gannon	Kravitz	Rivera
Bilirakis	Garcia	Kreegel	Robaina
Bogdanoff	Gardiner	Kyle	Roberson
Bowen	Gelber	Legg	Ross
Brandenburg	Gibson, A.	Littlefield	Rubio
Brown	Gibson, H.	Llorente	Russell
Brummer	Glorioso	Lopez-Cantera	Ryan
Brutus	Goldstein	Machek	Sands
Bucher	Goodlette	Mahon	Sansom
Bullard	Gottlieb	Mayfield	Seiler
Cannon	Grant	McInvale	Simmons
Carroll	Greenstein	Meadows	Slosberg

Smith	Stansel	Traviesa	Waters
Sobel	Stargel	Troutman	Williams
Sorensen	Taylor	Vana	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 262—A bill to be entitled An act relating to administrative procedures; amending s. 11.60, F.S.; revising duties of the Administrative Procedures Committee with respect to its review of statutes; amending s. 57.111, F.S.; redefining the term "small business" to include certain specified individuals whose net worth does not exceed a specified amount; amending s. 120.54, F.S.; requiring an agency to file a notice of change with the Administrative Procedures Committee; revising times for filing rules for adoption; providing an exception to the term "administrative determination" for purposes of rule adoption; providing for the form and provisions of bonds; revising applicability of certain uniform rules; providing additional content for uniform rules; amending s. 120.55, F.S.; requiring that certain information be included in forms incorporated by reference in rules; requiring information to be published electronically on an Internet website; providing that such publication does not preclude other publications; providing additional duties of the Department of State with respect to publications; providing requirements for the Internet website; amending s. 120.56, F.S.; revising provisions relating to withdrawal of challenged rules; amending s. 120.569, F.S.; providing for equitable tolling as a defense to the untimely filing of a petition; amending s. 120.57, F.S.; requiring a final order to include an explicit ruling on each exception to the recommended order; requiring that additional information be included in notices relating to protests of contract solicitations or awards; amending s. 120.65, F.S.; requiring the Division of Administrative Hearings to include certain recommendations and information in its annual report to the Administrative Procedures Committee; amending s. 120.74, F.S.; requiring agency reports to be filed with the Administrative Procedures Committee; requiring that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requiring the Department of State to provide certain assistance to agencies in their transition to publishing on the Florida Administrative Weekly Internet website; providing effective dates.

—was read the second time by title.

On motion by Rep. Bogdanoff, CS for CS for SB 262 was substituted for HB 7081. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Bogdanoff, the rules were waived and CS for CS for SB 262 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1126

Speaker Bense in the Chair.

Yeas—119

Adams	Bense	Carroll	Fields
Allen	Benson	Clarke	Flores
Altman	Berfield	Coley	Galvano
Ambler	Bilirakis	Cretul	Gannon
Anderson	Bogdanoff	Culp	Garcia
Antone	Bowen	Cusack	Gardiner
Arza	Brandenburg	Davis, D.	Gelber
Attkisson	Brown	Davis, M.	Gibson, A.
Ausley	Brummer	Dean	Gibson, H.
Barreiro	Brutus	Detert	Glorioso
Baxley	Bucher	Domino	Goldstein
Bean	Bullard	Evers	Goodlette
Bendross-Mindingall	Cannon	Farkas	Gottlieb

Grant	Kravitz	Pickens	Sansom
Greenstein	Kreegel	Planas	Seiler
Grimsley	Kyle	Poppell	Simmons
Harrell	Legg	Porth	Slosberg
Hasner	Littlefield	Proctor	Smith
Hays	Llorente	Quinones	Sobel
Henriquez	Lopez-Cantera	Reagan	Sorensen
Holloway	Machek	Rice	Stansel
Homan	Mahon	Richardson	Stargel
Hukill	Mayfield	Rivera	Taylor
Jennings	McInvale	Robaina	Traviesa
Johnson	Meadows	Roberson	Troutman
Jordan	Mealor	Ross	Vana
Joyner	Murzin	Rubio	Waters
Justice	Needelman	Russell	Williams
Kendrick	Patterson	Ryan	Zapata
Kottkamp	Peterman	Sands	

Nays—None

Votes after roll call:

Yeas—Negron

So the bill passed and was immediately certified to the Senate.

SB 372—A bill to be entitled An act relating to hearing aid specialists; amending s. 456.062, F.S.; deleting a requirement that hearing aid specialists make certain disclosures regarding services that are provided free of charge or at a reduced fee; providing an effective date.

—was read the second time by title.

On motion by Rep. Kendrick, SB 372 was substituted for HB 243. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Kendrick, the rules were waived and SB 372 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1127

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 388—A bill to be entitled An act relating to assisted care communities; creating ch. 429, F.S.; transferring part III of ch. 400, F.S., relating to assisted living facilities, to part I of ch. 429, F.S.; transferring part VII of ch. 400, F.S., relating to adult family-care homes, to part II of ch. 429, F.S.; transferring part V of ch. 400, F.S., relating to adult day care centers, to part III of ch. 429, F.S.; amending ss. 101.655, 189.428, 196.1975, 202.125, 205.1965, 212.031, 212.08, 296.02, 381.0035, 381.745, 393.063, 393.506, 394.455, 394.4574, 394.463, 400.0063, 400.0069, 400.0073, 400.0077, 400.0239, 400.119, 400.141, 400.191, 400.215, 400.402, 400.404, 400.407, 400.4071, 400.408, 400.411, 400.412, 400.414, 400.415, 400.417, 400.4174, 400.4176, 400.4178, 400.418, 400.419, 400.42, 400.422, 400.424, 400.4255, 400.4256, 400.426, 400.427, 400.428, 400.429, 400.4293, 400.431, 400.441, 400.442, 400.444, 400.447, 400.452, 400.462, 400.464, 400.497, 400.55, 400.551, 400.552, 400.553, 400.554, 400.555, 400.556, 400.5565, 400.557, 400.5571, 400.5572, 400.5575, 400.558, 400.559, 400.56, 400.562, 400.563, 400.564, 400.601, 400.616, 400.617, 400.618, 400.619, 400.6194, 400.6196, 400.621, 400.6211, 400.622, 400.625, 400.6255, 400.628, 400.629, 400.93, 400.962, 400.980, 400.9905, 401.23, 402.164, 408.032, 408.033, 408.034, 408.831, 409.212, 409.905, 409.906, 409.907, 409.912, 410.031, 410.034, 415.1111, 430.601, 430.703, 435.03, 435.04, 440.13, 465.0235, 468.1685, 468.505, 477.025, 509.032, 509.241, 627.732, 651.011, 651.022, 651.023, 651.055, 651.095, 651.118, 765.1103, 765.205, 768.735, 893.13, 943.0585, and 943.059, F.S., to conform references to changes made by the act; providing that physician assistants are subject to certain requirements in the same manner as physicians; requesting the Division of Statutory Revision to make necessary conforming changes to the Florida Statutes; providing an effective date.

—was read the second time by title.

On motion by Rep. Benson, CS for SB 388 was substituted for HB 501. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Benson, the rules were waived and CS for SB 388 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1128

Speaker Bense in the Chair.

Yeas—120

Adams	Cannon	Goodlette	Lopez-Cantera
Allen	Carroll	Gottlieb	Machek
Altman	Clarke	Grant	Mahon
Ambler	Coley	Greenstein	Mayfield
Anderson	Cretul	Grimsley	McInvale
Antone	Culp	Harrell	Meadows
Arza	Cusack	Hasner	Mealor
Attkisson	Davis, D.	Hays	Murzin
Ausley	Davis, M.	Henriquez	Needelman
Barreiro	Dean	Holloway	Negron
Baxley	Detert	Homan	Patterson
Bean	Domino	Hukill	Peterman
Bendross-Mindingall	Evers	Jennings	Pickens
Bense	Farkas	Johnson	Planas
Benson	Fields	Jordan	Poppell
Berfield	Flores	Joyner	Porth
Bilirakis	Galvano	Justice	Proctor
Bogdanoff	Gannon	Kendrick	Quinones
Bowen	Garcia	Kottkamp	Reagan
Brandenburg	Gardiner	Kravitz	Rice
Brown	Gelber	Kreegel	Richardson
Brummer	Gibson, A.	Kyle	Rivera
Brutus	Gibson, H.	Legg	Robaina
Bucher	Glorioso	Littlefield	Roberson
Bullard	Goldstein	Llorente	Ross

Rubio	Seiler	Sorensen	Troutman
Russell	Simmons	Stansel	Vana
Ryan	Slosberg	Stargel	Waters
Sands	Smith	Taylor	Williams
Sansom	Sobel	Traviesa	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 466—A bill to be entitled An act relating to regulation of real estate appraisers; amending s. 475.611, F.S.; revising and providing definitions; amending s. 475.612, F.S.; revising requirements relating to work performed by persons who are not certified, licensed, or registered; providing requirements relating to issuance of appraisal reports and compensation of appraisers, including trainees; amending s. 475.615, F.S.; removing obsolete language relating to qualifications for registration, licensure, or certification; revising education and experience requirements; amending s. 475.616, F.S.; removing obsolete language relating to examination requirements; amending s. 475.617, F.S.; revising the minimum and maximum course hour requirements for trainee appraiser registration; removing obsolete provisions establishing education and experience requirements for licensure as an appraiser; revising education and experience requirements for certification as a residential appraiser or general appraiser; requiring applicants for certification to maintain certain application documents; providing rulemaking authority; creating s. 475.6171, F.S.; providing for the issuance of registration and certification upon receipt of proper documentation; providing rulemaking authority; amending s. 475.6221, F.S.; prohibiting supervisory appraisers from certain employment; amending s. 475.6222, F.S.; requiring supervisory appraisers to provide direct training to registered trainee appraisers; amending s. 475.623, F.S.; requiring appraisers to furnish their firm or business name and any change in that name to the Department of Business and Professional Regulation; amending s. 475.624, F.S.; removing obsolete references; correcting cross-references; providing an effective date.

—was read the second time by title.

On motion by Rep. McInvale, CS for SB 466 was substituted for HB 159. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. McInvale, the rules were waived and CS for SB 466 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1129

Speaker Bense in the Chair.

Yeas—120

Adams	Brummer	Gannon	Johnson
Allen	Brutus	Garcia	Jordan
Altman	Bucher	Gardiner	Joyner
Ambler	Bullard	Gelber	Justice
Anderson	Cannon	Gibson, A.	Kendrick
Antone	Carroll	Gibson, H.	Kottkamp
Arza	Clarke	Glorioso	Kravitz
Attkisson	Coley	Goldstein	Kreegel
Ausley	Cretul	Goodlette	Kyle
Barreiro	Culp	Gottlieb	Legg
Baxley	Cusack	Grant	Littlefield
Bean	Davis, D.	Greenstein	Llorente
Bendross-Mindingall	Davis, M.	Grimsley	Lopez-Cantera
Bense	Dean	Harrell	Machek
Benson	Detert	Hasner	Mahon
Berfield	Domino	Hays	Mayfield
Bilirakis	Evers	Henriquez	McInvale
Bogdanoff	Farkas	Holloway	Meadows
Bowen	Fields	Homan	Mealor
Brandenburg	Flores	Hukill	Murzin
Brown	Galvano	Jennings	Needelman

Negron	Reagan	Ryan	Stansel
Patterson	Rice	Sands	Stargel
Peterman	Richardson	Sansom	Taylor
Pickens	Rivera	Seiler	Traviesa
Planas	Robaina	Simmons	Troutman
Poppell	Roberson	Slosberg	Vana
Porth	Ross	Smith	Waters
Proctor	Rubio	Sobel	Williams
Quinones	Russell	Sorensen	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 640—A bill to be entitled An act relating to luring or enticing a child; amending s. 787.025, F.S.; defining the term "convicted"; providing that a person 18 years of age or older who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a misdemeanor of the first degree; providing criminal penalties; providing that a person who has previously been convicted of this offense and who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a felony of the third degree; providing criminal penalties; deleting a presumption regarding what constitutes other than a lawful purpose; amending ss. 775.21, 794.0115, 943.0435, 944.606, 944.607, and 948.32, F.S.; conforming cross-references; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant if there is probable cause to believe that the person is intentionally luring or enticing, or attempting to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose; providing an effective date.

—was read the second time by title.

On motion by Rep. Ambler, CS for SB 640 was substituted for HB 763. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Ambler, the rules were waived and CS for SB 640 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1130

Speaker Bense in the Chair.

Yeas—119

Adams	Carroll	Grant	McInvale
Allen	Clarke	Greenstein	Meadows
Altman	Coley	Grimsley	Mealor
Ambler	Cretul	Harrell	Murzin
Anderson	Culp	Hasner	Needelman
Antone	Cusack	Hays	Negron
Arza	Davis, D.	Henriquez	Patterson
Attkisson	Davis, M.	Holloway	Peterman
Ausley	Dean	Homan	Pickens
Barreiro	Detert	Hukill	Planas
Baxley	Domino	Jennings	Poppell
Bean	Evers	Johnson	Porth
Bendross-Mindingall	Farkas	Jordan	Proctor
Bense	Fields	Joyner	Quinones
Benson	Flores	Justice	Reagan
Berfield	Galvano	Kendrick	Rice
Bilirakis	Gannon	Kottkamp	Richardson
Bogdanoff	Garcia	Kravitz	Rivera
Bowen	Gardiner	Kreegel	Robaina
Brandenburg	Gelber	Legg	Roberson
Brown	Gibson, A.	Littlefield	Ross
Brummer	Gibson, H.	Llorente	Rubio
Brutus	Glorioso	Lopez-Cantera	Russell
Bucher	Goldstein	Machek	Ryan
Bullard	Goodlette	Mahon	Sands
Cannon	Gottlieb	Mayfield	Sansom

Seiler
Simmons
Slosberg
Smith

Sobel
Sorensen
Stansel
Stargel

Taylor
Traviesa
Troutman
Vana

Waters
Williams
Zapata

Stargel
Taylor

Traviesa
Troutman

Vana
Waters

Williams
Zapata

Nays—None

Nays—None

Votes after roll call:

Yeas—Kyle

So the bill passed and was immediately certified to the Senate.

CS for SB 646—A bill to be entitled An act relating to sexual and career offenders; amending s. 775.21, F.S.; revising the definition of the term "institution of higher education" to include a career center; revising provisions relating to use of prior felonies for sexual predator determination; removing provisions allowing a sexual predator to register at the Department of Law Enforcement; amending s. 775.261, F.S.; revising an operational date used for career offender registration; expanding applicability of registration requirements; amending s. 943.0435, F.S.; removing provisions permitting a sexual offender to register at an office of the Department of Law Enforcement; revising provisions relating to the definition of "sexual offender"; revising the definition of "institution of higher education" to include a career center; revising a provision relating to an offender's driver's license or identification card renewal; amending s. 944.606, F.S.; revising provisions relating to the definition of "sexual offender"; amending s. 944.607, F.S.; revising provisions relating to the definition of "sexual offender"; revising the definition of "institution of higher education" to include a career center; providing an effective date.

—was read the second time by title.

On motion by Rep. Porth, CS for SB 646 was substituted for HB 327. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Porth, the rules were waived and CS for SB 646 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1131

Speaker Bense in the Chair.

Yeas—120

Adams
Allen
Altman
Ambler
Anderson
Antone
Arza
Attkisson
Ausley
Barreiro
Baxley
Bean
Bendross-Mindingall
Bense
Benson
Berfield
Bilirakis
Bogdanoff
Bowen
Brandenburg
Brown
Brummer
Brutus
Bucher
Bullard
Cannon
Carroll
Clarke

Coley
Cretul
Culp
Cusack
Davis, D.
Davis, M.
Dean
Detert
Domino
Evers
Farkas
Fields
Flores
Galvano
Gannon
Garcia
Gardiner
Gelber
Gibson, A.
Gibson, H.
Glorioso
Goldstein
Goodlette
Gottlieb
Grant
Greenstein
Grimsley
Harrell

Hasner
Hays
Henriquez
Holloway
Homan
Hukill
Jennings
Johnson
Jordan
Joyner
Justice
Kendrick
Kottkamp
Kravitz
Kreegel
Kyle
Legg
Littlefield
Llorente
Lopez-Cantera
Machek
Mahon
Mayfield
McInvale
Meadows
Mealor
Murzin
Needelman

Negron
Patterson
Peterman
Pickens
Planas
Poppell
Porth
Proctor
Quinones
Reagan
Rice
Richardson
Rivera
Robaina
Roberson
Ross
Rubio
Russell
Ryan
Sands
Sansom
Seiler
Simmons
Slosberg
Smith
Sobel
Sorensen
Stansel

Adams
Altman
Ambler
Anderson
Antone
Arza
Attkisson
Ausley
Barreiro
Baxley
Bendross-Mindingall
Bense
Benson
Berfield
Bilirakis
Bogdanoff
Brandenburg
Brown
Brummer
Brutus
Bucher
Bullard
Cannon
Carroll
Clarke
Coley
Cretul

Culp
Cusack
Davis, M.
Dean
Detert
Domino
Evers
Farkas
Fields
Flores
Galvano
Gannon
Garcia
Gardiner
Gelber
Gibson, A.
Gibson, H.
Glorioso
Goldstein
Goodlette
Gottlieb
Grant
Greenstein
Grimsley
Harrell
Hasner
Hays

Henriquez
Holloway
Homan
Jennings
Johnson
Jordan
Joyner
Justice
Kottkamp
Kravitz
Kreegel
Kyle
Legg
Littlefield
Llorente
Lopez-Cantera
Machek
Mahon
McInvale
Meadows
Murzin
Needelman
Negron
Peterman
Planas
Poppell
Porth

Quinones
Reagan
Rice
Richardson
Rivera
Robaina
Roberson
Ross
Rubio
Russell
Ryan
Sands
Sansom
Seiler
Simmons
Slosberg
Smith
Sobel
Sorensen
Taylor
Traviesa
Vana
Waters
Williams
Zapata

Nays—14

So the bill passed and was immediately certified to the Senate.

SB 676—A bill to be entitled An act relating to designations; creating s. 15.052, F.S.; designating key lime pie as the official state pie; providing an effective date.

—was read the second time by title.

On motion by Rep. Needelman, SB 676 was substituted for HB 453. Under Rule 5.14, the House bill was laid on the table.

Representative Stansel offered the following:

(Amendment Bar Code: 870161)

Amendment 1 (with title amendment)—On page 1, line 11, remove: Key lime

and insert: Sweet potato

===== T I T L E A M E N D M E N T =====

On page 1, line 3,
remove: key lime

and insert: sweet potato

Rep. Stansel moved the adoption of the amendment, which failed of adoption.

On motion by Rep. Needelman, the rules were waived and SB 676 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1132

Speaker Bense in the Chair.

Yeas—106

Allen	Hukill	Patterson	Stargel
Bean	Kendrick	Pickens	Troutman
Bowen	Mayfield	Proctor	
Davis, D.	Mealor	Stansel	

Votes after roll call:

Nays to Yeas—Hukill, Mealor, Patterson

So the bill passed and was immediately certified to the Senate.

SB 694—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; revising the applicability of ch. 538, F.S.; exempting persons or entities offering secondhand goods or personal property for sale, purchase, consignment, or trade via the Internet from the provisions of ch. 538, F.S., under certain circumstances; exempting certain businesses that sell, rent, or trade motion picture videos or video games from ch. 538, F.S.; amending s. 538.04, F.S.; revising recordkeeping requirements for secondhand dealers; providing penalties for knowingly giving false verification of ownership or a false or altered identification, and for receiving money from a secondhand dealer for goods sold, consigned, or traded if the value of the money received is less than \$300, and if the value of the money received is \$300 or more; providing for the electronic transfer of secondhand dealer transactions under specified circumstances; authorizing appropriate law enforcement agencies to provide a secondhand dealer with a computer and other equipment necessary to electronically transfer secondhand dealer transactions; providing procedures with respect to the electronic transfer of secondhand dealer transactions; amending s. 538.05, F.S.; revising provisions relating to the inspection of records and premises of secondhand dealers; amending s. 538.06, F.S.; revising provisions with respect to the holding of goods upon probable cause that the goods are stolen; providing for payment of restitution, attorney's fees, and costs to a secondhand dealer under specified circumstances; increasing the time limit for maintenance of transaction records by dealers in secondhand property; amending s. 538.07, F.S.; revising provisions relating to restitution for stolen property recovered from a secondhand dealer; amending s. 538.09, F.S.; revising provisions with respect to registration as a secondhand dealer; revising conditions under which registration may be denied, revoked, restricted, or suspended by the Department of Revenue; repealing s. 538.16, F.S., relating to disposal of property by secondhand dealers; amending s. 516.02, F.S.; removing cross-references; reenacting s. 790.335(3)(f), F.S., which provides a second-degree-felony penalty for any secondhand dealer who contracts with a specified third-party provider or electronically transmits certain records of firearms transactions to any third-party provider; providing an effective date.

—was read the second time by title.

On motion by Rep. Kottkamp, SB 694 was substituted for HB 651. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Kottkamp, the rules were waived and SB 694 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1133

Speaker Bense in the Chair.

Yeas—119

Adams	Benson	Clarke	Flores
Allen	Berfield	Coley	Galvano
Altman	Bilirakis	Cretul	Gannon
Ambler	Bogdanoff	Culp	Garcia
Antone	Bowen	Cusack	Gardiner
Arza	Brandenburg	Davis, D.	Gelber
Attkisson	Brown	Davis, M.	Gibson, A.
Ausley	Brummer	Dean	Gibson, H.
Barreiro	Brutus	Detert	Glorioso
Baxley	Bucher	Domino	Goldstein
Bean	Bullard	Evers	Goodlette
Bendross-Mindingall	Cannon	Farkas	Gottlieb
Bense	Carroll	Fields	Grant

Greenstein	Kreegel	Pickens	Sansom
Grimsley	Kyle	Planas	Seiler
Harrell	Legg	Poppell	Simmons
Hasner	Littlefield	Porth	Slosberg
Hays	Llorente	Proctor	Smith
Henriquez	Lopez-Cantera	Quinones	Sobel
Holloway	Machek	Reagan	Sorensen
Homan	Mahon	Rice	Stansel
Hukill	Mayfield	Richardson	Stargel
Jennings	McInvale	Rivera	Taylor
Johnson	Meadows	Robaina	Traviesa
Jordan	Mealor	Roberson	Troutman
Joyner	Murzin	Ross	Vana
Justice	Needelman	Rubio	Waters
Kendrick	Negron	Russell	Williams
Kottkamp	Patterson	Ryan	Zapata
Kravitz	Peterman	Sands	

Nays—None

Votes after roll call:

Yeas—Anderson

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 786—A bill to be entitled An act relating to notification regarding the state minimum wage; creating s. 448.109, F.S.; providing definitions; requiring an employer to display posters at worksites to provide employees notice about the state minimum wage; requiring the Agency for Workforce Innovation to make available an updated poster each year; providing for the size and contents of the posters; providing an effective date.

—was read the second time by title.

On motion by Rep. Fields, CS for CS for SB 786 was substituted for HB 1211. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Fields, the rules were waived and CS for CS for SB 786 was read the third time by title. On passage, the vote was:
Session Vote Sequence: 1134

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 876—A bill to be entitled An act relating to building designations; designating the Florida Center for Solid and Hazardous Waste Management as the "William W. 'Bill' Hinkley Center for Solid and Hazardous Waste Management"; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

—was read the second time by title.

On motion by Rep. Greenstein, CS for SB 876 was substituted for HB 741. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Greenstein, the rules were waived and CS for SB 876 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1135

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

SB 1076—A bill to be entitled An act relating to DUI programs; amending s. 322.292, F.S.; requiring that DUI classes be taught by a certified instructor in a classroom in which the instructor and offenders in the class are physically present; prohibiting any other method of instruction; providing an effective date.

—was read the second time by title.

On motion by Rep. Mahon, SB 1076 was substituted for HB 149. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Mahon, the rules were waived and SB 1076 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1136

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1112—A bill to be entitled An act relating to the denial of development permits; creating s. 125.022, F.S.; requiring a county to give written notice of its decision to deny a development permit; specifying information that the notice must include; defining the term "development permit"; creating s. 166.033, F.S.; requiring a municipality to give written notice of its decision to deny a development permit; specifying information that the notice must include; providing an effective date.

—was read the second time by title.

On motion by Rep. Reagan, CS for CS for SB 1112 was substituted for HB 1447. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Reagan, the rules were waived and CS for CS for SB 1112 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1137

Speaker Bense in the Chair.

Yeas—118

Adams	Barreiro	Bogdanoff	Cannon
Allen	Baxley	Bowen	Carroll
Altman	Bean	Brandenburg	Clarke
Ambler	Bendross-Mindingall	Brown	Coley
Anderson	Bense	Brummer	Cretul
Antone	Benson	Brutus	Culp
Arza	Berfield	Bucher	Cusack
Attkisson	Bilirakis	Bullard	Davis, D.

Davis, M.	Hasner	Mayfield	Rubio
Dean	Hays	McInvale	Russell
Detert	Henriquez	Meadows	Ryan
Domino	Holloway	Mealor	Sands
Evers	Homan	Murzin	Sansom
Farkas	Hukill	Needelman	Seiler
Fields	Jennings	Negron	Simmons
Flores	Johnson	Patterson	Slosberg
Galvano	Jordan	Peterman	Smith
Gannon	Joyner	Pickens	Sobel
Garcia	Justice	Planas	Sorensen
Gelber	Kendrick	Poppell	Stansel
Gibson, A.	Kottkamp	Porth	Stargel
Gibson, H.	Kravitz	Proctor	Taylor
Glorioso	Kreegel	Quinones	Traviesa
Goldstein	Kyle	Reagan	Troutman
Goodlette	Legg	Rice	Vana
Gottlieb	Littlefield	Richardson	Waters
Grant	Llorente	Rivera	Williams
Greenstein	Lopez-Cantera	Robaina	Zapata
Grimsley	Machek	Roberson	
Harrell	Mahon	Ross	

Smith	Stansel	Traviesa	Waters
Sobel	Stargel	Troutman	Williams
Sorensen	Taylor	Vana	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 1256—A bill to be entitled An act relating to minimum liquid-reserve requirements for continuing care providers; amending s. 651.035, F.S.; deleting the requirement that a provider include property insurance premiums within the amount required as debt service reserve; deleting provisions providing for calculating the amount of such premiums; deleting a provision exempting property insurance premiums from the amount that a provider is required to maintain as an operating reserve; providing an effective date.

—was read the second time by title.

On motion by Rep. H. Gibson, CS for SB 1256 was substituted for HB 377. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. H. Gibson, the rules were waived and CS for SB 1256 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1139

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 1278—A bill to be entitled An act relating to youth and young adults with disabilities; creating the Interagency Services Committee for Youth and Young Adults with Disabilities; providing legislative intent; providing that the committee be staffed by member agencies of the committee; providing for the membership of the committee; providing duties and responsibilities for the

Nays—None

Votes after roll call:

Yeas—Ausley

So the bill passed and was immediately certified to the Senate.

SB 1198—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2006 version of the Internal Revenue Code; providing for retroactive operation; providing an effective date.

—was read the second time by title.

On motion by Rep. Brummer, SB 1198 was substituted for HB 7179. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Brummer, the rules were waived and SB 1198 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1138

Speaker Bense in the Chair.

Yeas—120

Adams	Clarke	Grimsley	Mealor
Allen	Coley	Harrell	Murzin
Altman	Cretul	Hasner	Needelman
Ambler	Culp	Hays	Negron
Anderson	Cusack	Henriquez	Patterson
Antone	Davis, D.	Holloway	Peterman
Arza	Davis, M.	Homan	Pickens
Attkisson	Dean	Hukill	Planas
Ausley	Detert	Jennings	Poppell
Barreiro	Domino	Johnson	Porth
Baxley	Evers	Jordan	Proctor
Bean	Farkas	Joyner	Quinones
Bendross-Mindingall	Fields	Justice	Reagan
Bense	Flores	Kendrick	Rice
Benson	Galvano	Kottkamp	Richardson
Berfield	Gannon	Kravitz	Rivera
Bilirakis	Garcia	Kreegel	Robaina
Bogdanoff	Gardiner	Kyle	Roberson
Bowen	Gelber	Legg	Ross
Brandenburg	Gibson, A.	Littlefield	Rubio
Brown	Gibson, H.	Llorente	Russell
Brummer	Glorioso	Lopez-Cantera	Ryan
Brutus	Goldstein	Machek	Sands
Bucher	Goodlette	Mahon	Sansom
Bullard	Gottlieb	Mayfield	Seiler
Cannon	Grant	McInvale	Simmons
Carroll	Greenstein	Meadows	Slosberg

committee; requiring the committee to submit a report to the Governor and the Legislature; providing an effective date.

—was read the second time by title.

On motion by Rep. Bean, CS for SB 1278 was substituted for HB 1623. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Bean, the rules were waived and CS for SB 1278 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1140

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 1290—A bill to be entitled An act relating to concealed weapons; amending s. 790.06, F.S.; revising provisions concerning licenses for concealed weapons or concealed firearms held by a servicemember; prohibiting license expiration while the servicemember is under military orders to be a certain distance away from his or her residence; providing for an extension of the time to renew such a license; providing for fees and costs when such a license is renewed within the extension period; providing criteria to qualify for such extension; providing an effective date.

—was read the second time by title.

On motion by Rep. Coley, CS for SB 1290 was substituted for HB 1153. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Coley, the rules were waived and CS for SB 1290 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1141

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

SB 1386—A bill to be entitled An act relating to youthful offenders; amending s. 958.045, F.S.; deleting a provision limiting certain sentencing options available to the court following a violation of the conditions of probation by a youthful offender; providing an effective date.

—was read the second time by title.

On motion by Rep. Kravitz, SB 1386 was substituted for HB 7135. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Kravitz, the rules were waived and SB 1386 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1142

Speaker Bense in the Chair.

Yeas—118

Adams	Berfield	Culp	Gibson, A.
Allen	Bilirakis	Cusack	Gibson, H.
Altman	Bogdanoff	Davis, D.	Glorioso
Ambler	Bowen	Davis, M.	Goldstein
Anderson	Brandenburg	Dean	Goodlette
Antone	Brown	Detert	Gottlieb
Arza	Brummer	Domino	Grant
Attkisson	Brutus	Evers	Greenstein
Ausley	Bucher	Farkas	Grimsley
Barreiro	Bullard	Fields	Harrell
Baxley	Cannon	Flores	Hasner
Bean	Carroll	Gannon	Hays
Bendross-Mindingall	Clarke	Garcia	Henriquez
Bense	Coley	Gardiner	Holloway
Benson	Cretul	Gelber	Homan

Hukill	Machek	Quinones	Slosberg
Jennings	Mahon	Reagan	Smith
Johnson	Mayfield	Rice	Sobel
Jordan	McInvale	Richardson	Sorensen
Joyner	Meadows	Rivera	Stansel
Justice	Mealor	Robaina	Stargel
Kendrick	Murzin	Roberson	Taylor
Kottkamp	Needelman	Ross	Traviesa
Kravitz	Patterson	Rubio	Troutman
Kreegel	Peterman	Russell	Vana
Kyle	Pickens	Ryan	Waters
Legg	Planas	Sands	Williams
Littlefield	Poppell	Sansom	Zapata
Llorente	Porth	Seiler	
Lopez-Cantera	Proctor	Simmons	

Nays—None

Votes after roll call:

Yeas—Galvano

So the bill passed and was immediately certified to the Senate.

CS for SB 1438—A bill to be entitled An act relating to custodial requirements for public records; amending s. 119.021, F.S.; clarifying the custodial requirements for a record that is confidential and exempt from disclosure pursuant to law; authorizing the custodian of such record to require an agency or other governmental entity that receives the record to acknowledge in writing the confidential and exempt status of the record; providing an effective date.

—was read the second time by title.

On motion by Rep. Rivera, CS for SB 1438 was substituted for HB 7243. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Rivera, the rules were waived and CS for SB 1438 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1143

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brunner	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1510—A bill to be entitled An act relating to child care; amending s. 402.281, F.S.; providing criteria that certain child care facilities must meet in order to obtain and maintain a designation as a Gold Seal Quality Care provider; requiring the Department of Children and Family Services to adopt rules pertaining to the Gold Seal Quality Care program; amending s. 402.302, F.S.; revising the definition of the term "screening" to include volunteers; amending s. 402.310, F.S.; authorizing the department or local licensing agency to administer certain disciplinary sanctions to licensees and registrants; authorizing the department or local licensing agency to convert a license or registration to probation status for a violation of certain laws; requiring the department to adopt rules establishing the grounds for imposing disciplinary actions and creating a uniform system of procedures; amending s. 402.313, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on family day care homes that fail to comply with licensure or registration requirements; providing that the minimum standards required for family day care homes for licensure should include health and safety standards; amending s. 402.3131, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on large family child care homes that fail to comply with licensure requirements; transferring, renumbering, and amending s. 402.3017, F.S.; revising the provisions of the Teacher Education and Compensation Helps scholarship program; authorizing the Agency for Workforce Innovation to administer the program and adopt rules; amending s. 402.309, F.S.; authorizing the issuance of a provisional license or registration for child care to certain applicants; prohibiting a provisional license or registration from being issued under certain circumstances; authorizing the suspension or revocation of a provisional license or registration under certain circumstances; requiring the department to adopt rules; creating s. 402.317, F.S.; authorizing the provision of child care for a period longer than otherwise authorized if a parent or legal guardian works a shift of 24 hours or more; providing an effective date.

—was read the second time by title.

On motion by Rep. Ausley, CS for CS for SB 1510 was substituted for HB 1231. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Ausley, the rules were waived and CS for CS for SB 1510 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1144

Speaker Bense in the Chair.

Yeas—120

Adams	Brutus	Gardiner	Justice
Allen	Bucher	Gelber	Kendrick
Altman	Bullard	Gibson, A.	Kottkamp
Ambler	Cannon	Gibson, H.	Kravitz
Anderson	Carroll	Glorioso	Kreegel
Antone	Clarke	Goldstein	Kyle
Arza	Coley	Goodlette	Legg
Attkisson	Cretul	Gottlieb	Littlefield
Ausley	Culp	Grant	Llorente
Barreiro	Cusack	Greenstein	Lopez-Cantera
Baxley	Davis, D.	Grimsley	Machek
Bean	Davis, M.	Harrell	Mahon
Bendross-Mindingall	Dean	Hasner	Mayfield
Bense	Detert	Hays	McInvale
Benson	Domino	Henriquez	Meadows
Berfield	Evers	Holloway	Mealor
Bilirakis	Farkas	Homan	Murzin
Bogdanoff	Fields	Hukill	Needelman
Bowen	Flores	Jennings	Negron
Brandenburg	Galvano	Johnson	Patterson
Brown	Gannon	Jordan	Peterman
Brunner	Garcia	Joyner	Pickens

Planas	Rivera	Sansom	Stargel
Poppell	Robaina	Seiler	Taylor
Porth	Roberson	Simmons	Traviesa
Proctor	Ross	Slosberg	Troutman
Quinones	Rubio	Smith	Vana
Reagan	Russell	Sobel	Waters
Rice	Ryan	Sorensen	Williams
Richardson	Sands	Stansel	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1678—A bill to be entitled An act relating to governmental operations; creating s. 216.0236, F.S.; providing legislative intent that the fees charged by state agencies for providing a regulatory service or regulating a profession or business cover the costs of the regulatory service or oversight; requiring that each state agency review its fees; providing criteria for the review; requiring that each agency, as part of its legislative budget request, provide to the Governor and Legislature information regarding alternatives for realigning revenues or costs to make a regulatory service or program self-sufficient or provide justification for a subsidy from other state funds; requiring legislative review of all regulatory fee structures at least once every 5 years; providing an effective date.

—was read the second time by title.

On motion by Rep. Berfield, CS for CS for SB 1678 was substituted for HB 7197. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Berfield, the rules were waived and CS for CS for SB 1678 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1145

Speaker Bense in the Chair.

Yeas—118

Adams	Culp	Hukill	Quinones
Allen	Cusack	Jennings	Reagan
Altman	Davis, D.	Johnson	Rice
Ambler	Dean	Jordan	Richardson
Anderson	Detert	Joyner	Rivera
Antone	Domino	Justice	Robaina
Arza	Evers	Kendrick	Roberson
Attkisson	Farkas	Kottkamp	Ross
Ausley	Fields	Kravitz	Rubio
Barreiro	Flores	Kreegel	Russell
Baxley	Galvano	Legg	Ryan
Bean	Gannon	Littlefield	Sands
Bendross-Mindingall	Garcia	Llorente	Sansom
Bense	Gardiner	Lopez-Cantera	Seiler
Benson	Gelber	Machek	Simmons
Berfield	Gibson, A.	Mahon	Slosberg
Bilirakis	Gibson, H.	Mayfield	Smith
Bogdanoff	Glorioso	McInvale	Sobel
Bowen	Goldstein	Meadows	Sorensen
Brandenburg	Goodlette	Mealor	Stansel
Brown	Gottlieb	Murzin	Stargel
Brummer	Grant	Needelman	Taylor
Brutus	Greenstein	Negron	Traviesa
Bucher	Grimsley	Patterson	Troutman
Bullard	Harrell	Peterman	Vana
Cannon	Hasner	Pickens	Waters
Carroll	Hays	Planas	Williams
Clarke	Henriquez	Poppell	Zapata
Coley	Holloway	Porth	
Cretul	Homan	Proctor	

Nays—1

Davis, M.

Votes after roll call:

Nays to Yeas—Davis, M.

So the bill passed and was immediately certified to the Senate.

CS for SB 1690—A bill to be entitled An act relating to physician assistants; amending ss. 458.331 and 459.015, F.S.; appointing a physician assistant to probable cause panels of the Board of Medicine and the Board of Osteopathic Medicine considering discipline of physician assistants; providing qualifications for the physician assistants appointed to the panels; exempting the appointed physician assistants from certain training requirements concerning the grounds for disciplinary action; providing an effective date.

—was read the second time by title.

On motion by Rep. Baxley, CS for SB 1690 was substituted for HB 859. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Baxley, the rules were waived and CS for SB 1690 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1146

Speaker Bense in the Chair.

Yeas—119

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Mealor	Gottlieb	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Traviesa
Bullard	Grimsley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Williams
Coley	Henriquez	Planas	Zapata
Cretul	Holloway	Poppell	

Nays—None

Votes after roll call:

Yeas—Stansel

So the bill passed and was immediately certified to the Senate.

CS for SB 1748—A bill to be entitled An act relating to juvenile justice; reorganizing ch. 985, F.S.; providing new section numbers and part titles; amending s. 985.01, F.S., relating to purposes and intent for the chapter; amending s. 985.02, F.S., relating to the legislative intent for the juvenile justice system; revising a reference and cross-references to conform; amending s. 985.03, F.S., relating to definitions for the chapter; amending, renumbering, and revising references and cross-references to conform; creating s. 985.0301, F.S., relating to the jurisdiction of the juvenile court;

amending and renumbering s. 985.201, F.S.; amending and renumbering a provision of s. 985.219, F.S., that relates to such jurisdiction; revising references and cross-references to conform; creating s. 985.032, F.S., relating to legal representation for delinquency cases; renumbering s. 985.202, F.S.; creating s. 985.033, F.S., relating to the right to counsel; amending and renumbering s. 985.203, F.S.; revising references to conform; creating s. 985.035, F.S., relating to open hearings; renumbering s. 985.205, F.S.; creating s. 985.036, F.S., relating to the rights of victims in juvenile proceedings; amending and renumbering s. 985.206, F.S.; providing for the release of certain information to victims; creating s. 985.037, F.S., relating to punishment for contempt of court and alternative sanctions; amending and renumbering s. 985.216, F.S.; revising provisions relating to contempt of court; creating s. 985.039, F.S., relating to cost of supervision and care; amending and renumbering s. 985.2311, F.S.; amending and renumbering s. 985.04, F.S.; clarifying a provision relating to the release of certain information; revising references and cross-references to conform; creating s. 985.045, F.S., relating to court records; amending and renumbering s. 985.05, F.S.; revising references and cross-references to conform; creating s. 985.046, F.S., relating to the statewide information-sharing system and interagency workgroup; renumbering s. 985.06, F.S.; creating s. 985.047, F.S., relating to information systems; renumbering s. 985.08, F.S.; creating s. 985.101, F.S., relating to taking a child into custody; amending and renumbering s. 985.207, F.S.; creating s. 985.105, F.S., relating to intake and case management; renumbering a provision of s. 985.215, F.S., relating to transporting a child who has been taken into custody; revising a reference and cross-references to conform; creating s. 985.105, F.S., relating to youth custody officers; amending and renumbering s. 985.2075, F.S.; creating s. 985.11, F.S., relating to fingerprinting and photographing; amending and renumbering s. 985.212, F.S.; revising a cross-reference to conform; creating s. 985.115, F.S., relating to release or delivery from custody; amending and renumbering provisions of s. 985.211, F.S., that relate to such release or delivery; revising cross-references to conform; creating s. 985.12, F.S., relating to civil citations; amending and renumbering s. 985.301, F.S.; revising a cross-reference to conform; creating s. 985.125, F.S., relating to prearrest or postarrest diversion programs; renumbering s. 985.3065, F.S.; creating s. 985.13, F.S., relating to probable cause affidavits; amending and renumbering provisions of s. 985.211, F.S., that relate to probable cause affidavits and certain requirements upon the taking of a child into custody; revising cross-references to conform; creating s. 985.135, F.S., relating to juvenile assessment centers; amending and renumbering s. 985.209, F.S.; creating s. 985.14, F.S., relating to the intake and case management system; amending, renumbering, and redesignating provisions of s. 985.21, F.S., that relate to intake and case management; revising cross-references to conform; creating s. 985.145, F.S., relating to the responsibilities of the juvenile probation officer during intake and to screenings and assessments; amending and redesignating provisions of s. 985.21, F.S., that relate to such responsibilities, screenings, and assessments; revising cross-references to conform; creating s. 985.15, F.S., relating to filing decisions in juvenile cases; revising cross-references to conform; creating s. 985.155, F.S., relating to neighborhood restorative justice; renumbering s. 985.303, F.S.; creating s. 985.16, F.S., relating to community arbitration; amending and renumbering s. 985.304, F.S.; revising a reference to conform; creating s. 985.18, F.S., relating to medical, psychiatric, psychological, substance abuse, and educational examination and treatment; renumbering s. 985.224, F.S.; redesignating a provision of s. 985.215, F.S., that relates to comprehensive evaluations of certain youth; creating s. 985.185, F.S., relating to evaluations for dispositions; amending and renumbering provisions of s. 985.229, F.S., that relate to such evaluations; creating s. 985.19, F.S., relating to incompetency in juvenile delinquency cases; renumbering s. 985.223, F.S.; creating s. 985.195, F.S., relating to transfer to other treatment services; renumbering s. 985.418, F.S.; creating s. 985.24, F.S., relating to the use of detention and to prohibitions on the use of detention; renumbering provisions of s. 985.213, F.S., that relate to the use of detention; renumbering s. 985.214, F.S.; creating s. 985.245, F.S., relating to the risk assessment instrument; amending and renumbering a provision of s. 985.213, F.S., that relates to such instrument; revising cross-references to conform; creating s. 985.25, F.S., relating to detention intake; amending, renumbering, and redesignating provisions of s.

985.215, F.S., that relate to detention intake; revising cross-references to conform; creating s. 985.255, F.S., relating to detention criteria and detention hearings; amending and renumbering a provision of s. 985.215, F.S., that relates to such criteria and hearings; revising cross-references to conform; creating s. 985.26, F.S., relating to length of detention; amending, renumbering, and redesignating provisions of s. 985.215, F.S., that relate to length of detention; revising cross-references to conform; creating s. 985.265, F.S., relating to detention transfer and release, education of juvenile offenders while in detention or on detention status, and holding of juvenile offenders in adult jails; amending and renumbering provisions of s. 985.215, F.S., that relate to transfer, release, and holding juvenile offenders in adult jails; renumbering a provision of s. 985.213, F.S., that relates to education of juvenile offenders while in detention or on detention status; revising references and cross-references to conform; creating s. 985.27, F.S., relating to postcommitment detention of juvenile offenders while such offenders are awaiting residential placement; amending and redesignating provisions of s. 985.215, F.S., that relate to such detention; limiting the use of such detention; revising references to "detention" to clarify that such term means "secure detention" in certain circumstances; creating s. 985.275, F.S., relating to the detention of an escapee; amending and renumbering s. 985.208, F.S.; revising a cross-reference to conform; creating s. 985.318, F.S., relating to petitions; renumbering s. 985.218, F.S.; creating s. 985.319, F.S., relating to process and service; renumbering provisions of s. 985.219, F.S., that relate to process and service; creating s. 985.325, relating to prohibitions against threatening or dismissing employees; amending and renumbering s. 985.22, F.S.; revising cross-references to conform; creating s. 985.331, F.S., relating to court and witness fees; renumbering s. 985.221, F.S.; creating s. 985.335, F.S., relating to answering a petition; renumbering s. 985.222, F.S.; creating s. 985.345, F.S., relating to delinquency pretrial intervention programs; renumbering s. 985.306, F.S.; creating s. 985.35, F.S., relating to adjudicatory hearings, withholding of adjudication, and orders of adjudication; amending and renumbering s. 985.228, F.S.; repealing a provision prohibiting a person from possessing a firearm in certain circumstances; revising a reference and cross-references to conform; creating s. 985.43, F.S., relating to predisposition reports and other evaluations; amending and renumbering provisions of s. 985.229, F.S., that relate to such reports and evaluations; revising cross-references to conform; creating s. 985.433, F.S., relating to disposition hearings in delinquency cases; amending and renumbering s. 985.23, F.S.; clarifying who is considered a party to a juvenile case; specifying who must be given an opportunity to comment on the issue of disposition; revising cross-references to conform; amending a provision of s. 985.231, F.S., relating to requirement of written disposition orders; creating s. 985.435, F.S., relating to probation, postcommitment probation, and community service; amending and redesignating a provision of s. 985.231, F.S., relating to probation, postcommitment probation, and community control; creating s. 985.437, F.S., relating to restitution; revising a reference and cross-reference to conform; creating s. 985.439, F.S., relating to violations of probation or postcommitment probation; revising cross-references to conform; creating s. 985.441, F.S., relating to commitment; providing a requirement for commitment of a child as a juvenile sexual offender; revising cross-references to conform; creating s. 985.442, F.S., relating to the form of commitment; renumbering s. 985.232, F.S.; creating s. 985.445, F.S., relating to disposition of delinquency cases involving grand theft of a motor vehicle; amending and redesignating a provision of s. 985.231, F.S., that relates to disposition in such cases; creating s. 985.45, F.S., relating to liability and remuneration for work; amending and redesignating a provision of s. 985.231, F.S., that relates to liability and remuneration; creating s. 985.455, F.S., relating to other dispositional issues; amending and redesignating provisions of s. 985.231, F.S., that relate to determination of sanctions, rehabilitation programs, and certain contact with the victim subsequent to disposition; redesignating provisions of s. 985.231, F.S., that specify the duration of commitment and suspension of disposition; revising a cross-reference to conform; creating s. 985.46, F.S., relating to conditional release; amending and renumbering s. 985.316, F.S.; revising a cross-reference to conform; creating s. 985.465, F.S., relating to juvenile correctional facilities and juvenile prisons; amending and renumbering s. 985.313, F.S.; creating s.

985.47, F.S., relating to serious and habitual juvenile offenders; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; amending and renumbering s. 985.31, F.S.; revising a reference and cross-references to conform; creating s. 985.475, F.S., relating to juvenile sexual offenders; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; revising a cross-reference to conform; amending and renumbering a provision of s. 985.231, F.S., that relates to such offenders; revising cross-references to conform; creating s. 985.48, F.S., relating to juvenile sexual offender commitment programs and sexual abuse intervention networks; renumbering s. 985.308, F.S.; creating s. 985.483, F.S., relating to intensive residential treatment programs for juvenile offenders less than 13 years of age; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; amending and renumbering s. 985.311, F.S.; revising cross-references to conform; creating s. 985.486, F.S., relating to the prerequisites for commitment of juvenile offenders less than 13 years of age to intensive residential treatment programs; amending and renumbering s. 985.312, F.S.; revising cross-references to conform; creating s. 985.489, F.S., relating to boot camp for children; amending and renumbering s. 985.309, F.S.; revising cross-references to conform; creating s. 985.494, F.S., relating to commitment programs for juvenile felony offenders; amending and renumbering s. 985.314, F.S.; revising cross-references to conform; creating s. 985.511, F.S., relating to the child's right to counsel and the cost of representation; creating s. 985.512, F.S., relating to the powers of the court with respect to certain children; renumbering s. 985.204, F.S.; creating s. 985.513, F.S., relating to the powers of the court over parents or guardians at disposition of the child's case; amending and redesignating provisions of s. 985.231, F.S., that relate to such powers; revising cross-references to conform; creating s. 985.514, F.S., relating to the responsibilities of the parents or guardians of a child for certain fees related to the cost of care; revising a cross-reference to conform; creating s. 985.534, F.S., relating to appeals in juvenile cases; renumbering s. 985.234, F.S.; creating s. 985.535, F.S., relating to time for taking appeal by the state; renumbering s. 985.235, F.S.; creating s. 985.536, F.S., relating to orders or decisions when the state appeals; renumbering s. 985.236, F.S.; creating s. 985.556, F.S., relating to voluntary and involuntary waivers of juvenile court jurisdiction and hearings for such waivers; amending and renumbering s. 985.226, F.S.; revising cross-references to conform; creating s. 985.557, F.S., relating to discretionary and mandatory criteria for the direct filing of an information against a juvenile offender in the criminal division of the circuit court; amending and renumbering s. 985.227, F.S.; revising cross-references to conform; creating s. 985.56, F.S., relating to indictment of juvenile offenders; amending and renumbering s. 985.225, F.S.; revising a reference and cross-references to conform; creating s. 985.565, F.S., relating to powers, procedures, and alternatives available to the court when sentencing juvenile offenders prosecuted as adults; amending, renumbering, and redesignating provisions of s. 985.233, F.S., that relate to such powers, procedures, and alternatives; revising cross-references to conform; creating s. 985.57, F.S., relating to the transfer of children from the Department of Corrections to the Department of Juvenile Justice; renumbering s. 985.417; creating s. 985.601, F.S., relating to administering the juvenile justice continuum; renumbering provisions of s. 985.404, F.S., that relate to such administration; amending and renumbering s. 985.4043, F.S.; creating s. 985.6015, F.S., relating to the Shared County/State Juvenile Detention Trust Fund; creating s. 985.605, F.S., relating to requirements for prevention service programs; amending and renumbering s. 985.3045, F.S.; revising cross-references to conform; creating s. 985.606, F.S., relating to requirements for agencies and entities providing prevention services; amending and renumbering s. 985.3046, F.S.; revising a cross-reference to conform; creating s. 985.61, F.S., relating to criteria for early delinquency intervention programs; renumbering s. 985.305, F.S.; creating s. 985.614, F.S., relating to interagency cooperation for children who are locked out of their homes; amending and renumbering s. 985.2066, F.S.; creating s. 985.618, F.S., relating to educational and career-related programs; amending and renumbering s. 985.315, F.S.; revising a cross-reference to conform; creating s. 985.622, F.S., relating to a multiagency plan for vocational education; renumbering s. 985.3155, F.S.; creating s. 985.625, F.S., relating to literacy programs for juvenile offenders; amending and renumbering s. 985.317, F.S.; revising a cross-reference to conform; creating

s. 985.629, F.S., relating to contracts for the transfer of Florida children in federal custody; renumbering s. 985.419, F.S.; creating s. 985.632, F.S., relating to quality assurance and cost-effectiveness; renumbering s. 985.412, F.S.; creating s. 985.636, F.S., relating to the Office of the Inspector General within the Department of Juvenile Justice; renumbering s. 985.42, F.S.; creating s. 985.64, F.S., relating to the authority of the Department of Juvenile Justice to adopt rules; amending and renumbering s. 985.405, F.S.; creating s. 985.644, F.S., relating to the contracting powers and the personnel standards and screening requirements of the Department of Juvenile Justice; renumbering a provision of s. 985.01, F.S., that relates to such powers; renumbering s. 985.407, F.S.; creating s. 985.648, F.S., relating to consultants; renumbering s. 985.408, F.S.; creating s. 985.652, F.S., relating to participation of certain juvenile programs in the State Risk Management Trust Fund; renumbering s. 985.409, F.S.; creating s. 985.66, F.S., relating to juvenile justice training academies, the Juvenile Justice Standards and Training Commission, and the Juvenile Justice Trust Fund; amending and renumbering s. 985.406, F.S.; revising a cross-reference to conform; creating s. 985.664, F.S., relating to juvenile justice circuit boards and juvenile justice county councils; amending and renumbering s. 985.4135, F.S.; revising a cross-reference to conform; creating s. 985.668, F.S., relating to innovation zones; renumbering s. 985.416, F.S.; creating s. 985.672, F.S., relating to direct-support organizations; renumbering s. 985.4145, F.S.; creating s. 985.676, F.S., relating to community juvenile justice partnership grants; amending and renumbering s. 985.415, F.S.; revising cross-references to conform; creating s. 985.682, F.S., relating to studies and criteria for siting juvenile facilities; amending and renumbering s. 985.41, F.S.; creating s. 985.686, F.S., relating to shared county and state responsibility for juvenile detention; renumbering s. 985.2155, F.S.; creating s. 985.688, F.S., relating to administering county and municipal delinquency programs and facilities; amending and renumbering s. 985.411, F.S.; revising a cross-reference to conform; creating s. 985.69, F.S., relating to one-time startup funding for juvenile justice purposes; renumbering s. 985.4075, F.S.; creating s. 985.692, F.S., relating to the Juvenile Welfare Trust Fund; renumbering s. 985.4041, F.S.; creating s. 985.694, F.S., relating to the Juvenile Care and Maintenance Trust Fund; renumbering s. 985.4042, F.S.; creating s. 985.701, F.S., relating to prohibiting sexual misconduct, reporting requirements, and penalties; renumbering s. 985.4045, F.S.; creating s. 985.711, F.S., relating to penalties for the introduction, removal, or possession of certain articles; renumbering s. 985.4046, F.S.; creating s. 985.721, F.S., relating to escapes from secure detention or residential commitment facilities; amending and renumbering s. 985.3141, F.S.; revising a cross-reference to conform; creating s. 985.731, F.S., relating to sheltering or aiding unmarried minors; renumbering s. 985.2065, F.S.; creating s. 985.801, F.S., relating to legislative findings, policy, and implementation of the Interstate Compact on Juveniles; renumbering s. 985.501, F.S.; creating s. 985.802, F.S., relating to execution of the interstate compact; renumbering s. 985.502, F.S.; creating s. 985.803, F.S., relating to the administrator of the juvenile compact; renumbering s. 985.503, F.S.; creating s. 985.804, F.S., relating to supplementary agreements to the compact; renumbering s. 985.504, F.S.; creating s. 985.805, F.S., relating to financial arrangements related to the compact; renumbering s. 985.505, F.S.; creating s. 985.806, F.S., relating to the responsibilities of state departments, agencies, and officers; renumbering s. 985.506, F.S.; creating s. 985.807, F.S., relating to procedures in addition to those provided under the compact; renumbering s. 985.507, F.S.; creating s. 985.8025, F.S., relating to the State Council for Interstate Juvenile Offender Supervision; renumbering s. 985.5023, F.S.; repealing ss. 985.215(6), 985.231(1)(b), (c), (f), and (i), and (2) and 985.233(4)(d), F.S.; amending ss. 29.004, 29.008, 253.025, 318.21, 397.334, 400.953, 419.001, 435.04, 790.115, 790.22, 921.0022, 938.10, 943.053, 943.0582, 943.0585, 943.059, 948.51, 958.046, 960.001, 984.03, 984.05, 984.09, 984.226, 1003.52, 1006.08, 1006.13, and 1012.797, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

On motion by Rep. Culp, CS for SB 1748 was substituted for HB 7029. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Culp, the rules were waived and CS for SB 1748 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1147

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

SB 1850—A bill to be entitled An act relating to programs of the Department of Children and Family Services; amending s. 394.455, F.S.; providing and revising definitions; amending s. 394.463, F.S.; providing that a marriage and family therapist may execute a certificate for involuntary examination; amending s. 394.4655, F.S.; providing that a marriage and family therapist or mental health counselor may deem a services treatment plan clinically appropriate for an involuntary outpatient placement; amending s. 394.467, F.S.; requiring that documentation of any evaluation performed by a marriage and family therapist or mental health counselor be provided when a patient is ordered for involuntary inpatient placement; amending s. 383.0115, F.S.; deleting a provision that repeals the Commission on Marriage and Family Support Initiatives; directing the Department of Children and Family Services to advise the Legislature when the commission ceases to be essential; amending s. 397.451, F.S.; requiring service provider personnel who request an exemption from disqualification to submit the request within a certain time after notification of the disqualification; deleting a provision specifying that service provider personnel shall not be adversely affected pending disposition of an exemption from disqualification; deleting a provision requiring immediate dismissal of service provider personnel upon disapproval of a request for an exemption; prohibiting the department from issuing a regular license to a service provider that fails to provide proof that background screening information has been submitted providing that upon notification of the disqualification, the service provider shall comply with requirements regarding exclusions from employment in s. 435.06, F.S.; repealing s. 3, ch. 2003-279, Laws of Florida; requiring the Department of Children and Family Services, the Agency for Persons with Disabilities, the Department of Health, the Agency for Health Care Administration, and the Department of Elderly Affairs to convene a workgroup for the purpose of

implementing a statewide system for ensuring the provision of services for adults with disabilities; requiring that the Department of Children and Family Services coordinate the workgroup; requiring the workgroup to report to the Governor and the Legislature by a specified date; requiring the participating agencies to support the expenses of workgroup members; requiring that the recommendations of the workgroup be incorporated into certain interagency agreements; abrogating the repeal of s. 20.19(2)(c) and (4)(b)6. and 8., F.S., relating to the appointment of certain mental health and substance abuse positions and the establishment of program offices for mental health and substance abuse; providing an effective date.

—was read the second time by title.

On motion by Rep. Galvano, SB 1850 was substituted for HB 7083. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Galvano, the rules were waived and SB 1850 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1148

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for SB 1922—A bill to be entitled An act relating to the State Long-Term Care Ombudsman Program; amending s. 400.0060, F.S.; providing and revising definitions; amending s. 400.0061, F.S.; revising legislative findings and intent; amending s. 400.0063, F.S.; revising provisions relating to qualifications of the State Long-Term Care Ombudsman; revising duties of the legal advocate; amending s. 400.0065, F.S.; revising duties and responsibilities of the State Long-Term Care Ombudsman; requiring an annual report; deleting provisions relating to conflict of interest; repealing s. 400.0066, F.S., relating to the Office of State Long-Term Care Ombudsman and departments of state government; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; providing for election of a local council member from each local council to provide representation on the state council; authorizing the Secretary of

Elderly Affairs to recommend to the Governor appointments for at-large positions on the state council; providing conditions for removal of members of and for filling vacancies on the state council; providing for election of officers and meetings; providing for per diem and travel expenses if approved by the ombudsman; deleting provisions relating to conflicts of interest and requests for appropriations; amending s. 400.0069, F.S.; authorizing the State Long-Term Care Ombudsman to designate and direct local long-term care ombudsman councils; requiring approval by the Secretary of Elderly Affairs of jurisdictional boundaries designated by the ombudsman; revising duties of local long-term care ombudsman councils; providing requirements and application for membership, election of officers, and meetings of local long-term care ombudsman councils; providing conditions for removal of members; providing for travel expenses for members of the council; deleting provisions relating to conflicts of interest; creating s. 400.0070, F.S.; consolidating provisions relating to conflicts of interest of the ombudsman; providing rulemaking authority to the Department of Elderly Affairs regarding conflicts of interest; amending s. 400.0071, F.S.; requiring rules for receiving, investigating, and assessing complaints against long-term care facilities; deleting provisions requiring the posting and distribution of copies of such procedures; amending s. 400.0073, F.S.; providing conditions for investigations of complaints by state and local ombudsman councils; providing that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S., under certain circumstances; deleting conditions for onsite administrative inspections; creating s. 400.0074, F.S.; providing conditions and requirements for onsite administrative assessments of nursing homes, assisted living facilities, and adult family-care homes; prohibiting forcible entry of long-term care facilities; providing that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S., under certain circumstances; amending s. 400.0075, F.S.; providing complaint notification procedures for state and local councils; providing circumstances in which information relating to violations by a long-term care facility is provided to a local law enforcement agency; amending s. 400.0078, F.S.; requiring information relating to the State Long-Term Care Ombudsman Program to be provided to residents of long-term care facilities or their representatives; amending s. 400.0079, F.S.; providing for immunity from liability for certain persons; amending s. 400.0081, F.S.; requiring long-term care facilities to provide the Office of State Long-Term Care Ombudsman and state and local councils and their members with access to the facility and the records and residents of the facility; authorizing rather than requiring the department to adopt rules regarding access to facilities, records, and residents; amending s. 400.0083, F.S.; prohibiting certain actions against persons who file complaints; providing penalties; repealing s. 400.0085, F.S., relating to a penalty; amending s. 400.0087, F.S.; providing for oversight by and responsibilities of the department; requiring the department to provide certain funding for the State Long-Term Care Ombudsman Program; amending s. 400.0089, F.S.; requiring the office to maintain a data reporting system relating to complaints about and conditions in long-term care facilities and to residents therein; requiring the office to publish and include certain information in its annual report; amending s. 400.0091, F.S.; providing for training of employees of the office and members of the state and local councils; requiring the ombudsman to approve the curriculum and providing contents thereof; requiring certification of employees by the ombudsman; providing an effective date.

—was read the second time by title.

On motion by Rep. Grimsley, CS for SB 1922 was substituted for HB 1067. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Grimsley, the rules were waived and CS for SB 1922 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1149

Speaker Bense in the Chair.

Yeas—119

Adams	Culp	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Jennings	Reagan
Ambler	Davis, M.	Johnson	Rice
Anderson	Dean	Jordan	Richardson
Antone	Detert	Joyner	Rivera
Arza	Domino	Justice	Robaina
Attkisson	Evers	Kendrick	Roberson
Ausley	Farkas	Kottkamp	Ross
Barreiro	Fields	Kreegel	Rubio
Baxley	Flores	Kyle	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, A.	Mahon	Slosberg
Bogdanoff	Gibson, H.	Mayfield	Smith
Bowen	Glorioso	McInvale	Sobel
Brandenburg	Goldstein	Meadows	Sorensen
Brown	Goodlette	Mealor	Stansel
Brummer	Gottlieb	Murzin	Stargel
Brutus	Grant	Needelman	Taylor
Bucher	Greenstein	Negron	Traviesa
Bullard	Grimsley	Patterson	Troutman
Cannon	Harrell	Peterman	Vana
Carroll	Hasner	Pickens	Waters
Clarke	Hays	Planas	Williams
Coley	Henriquez	Poppell	Zapata
Cretul	Holloway	Porth	

Nays—None

Votes after roll call:

Yeas—Kravitz

So the bill passed and was immediately certified to the Senate.

CS for SB 1956—A bill to be entitled An act relating to land trusts; amending s. 689.071, F.S.; providing a short title; providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; deleting a requirement that a trustee be qualified to act as a fiduciary; deleting obsolete references to "dower" and "curtesy"; specifying rights, liabilities, and duties of land trust beneficiaries; providing that the principal residence of a beneficiary which is held in a land trust is entitled to the homestead tax exemption under certain circumstances; providing for the appointment of successor trustees; providing requirements for declarations of appointment; providing that a trustee of a land trust may be a creditor of the trust or of a trust beneficiary; amending s. 201.02, F.S.; conforming a cross-reference; providing application; providing an effective date.

—was read the second time by title.

On motion by Rep. Simmons, CS for SB 1956 was substituted for HB 7099. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Simmons, the rules were waived and CS for SB 1956 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1150

Speaker Bense in the Chair.

Yeas—120

Adams	Altman	Anderson	Arza
Allen	Ambler	Antone	Attkisson

Ausley	Domino	Jordan	Quinones
Barreiro	Evers	Joyner	Reagan
Baxley	Farkas	Justice	Rice
Bean	Fields	Kendrick	Richardson
Bendross-Mindingall	Flores	Kottkamp	Rivera
Bense	Galvano	Kravitz	Robaina
Benson	Gannon	Kreegel	Roberson
Berfield	Garcia	Kyle	Ross
Bilirakis	Gardiner	Legg	Rubio
Bogdanoff	Gelber	Littlefield	Russell
Bowen	Gibson, A.	Llorente	Ryan
Brandenburg	Gibson, H.	Lopez-Cantera	Sands
Brown	Glorioso	Machek	Sansom
Brummer	Goldstein	Mahon	Seiler
Brutus	Goodlette	Mayfield	Simmons
Bucher	Gottlieb	McInvale	Slosberg
Bullard	Grant	Meadows	Smith
Cannon	Greenstein	Mealor	Sobel
Carroll	Grimsley	Murzin	Sorensen
Clarke	Harrell	Needelman	Stansel
Coley	Hasner	Negron	Stargel
Cretul	Hays	Patterson	Taylor
Culp	Henriquez	Peterman	Traviesa
Cusack	Holloway	Pickens	Troutman
Davis, D.	Homan	Planas	Vana
Davis, M.	Hukill	Poppell	Waters
Dean	Jennings	Porth	Williams
Detert	Johnson	Proctor	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 1958—A bill to be entitled An act relating to airboats; amending s. 327.02, F.S.; defining the terms "airboat" and "muffler"; conforming terminology; creating s. 327.391, F.S.; providing for the regulation of airboat operation and equipment; requiring a sound-muffling device, as described; requiring the display of flags, as described; providing penalties; amending s. 327.60, F.S.; prohibiting an ordinance or local law from discriminating against airboats; providing an exception; amending s. 327.73, F.S.; providing penalties; amending s. 327.731, F.S.; providing for mandatory education; amending ss. 320.08, 328.17, 342.07, and 715.07, F.S.; correcting cross-references; amending s. 713.78, F.S.; correcting cross-references and conforming terminology; amending s. 616.242, F.S.; conforming terminology; providing effective dates.

—was read the second time by title.

On motion by Rep. Dean, CS for CS for SB 1958 was substituted for HB 733. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Dean, the rules were waived and CS for CS for SB 1958 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1151

Speaker Bense in the Chair.

Yeas—119

Adams	Benson	Coley	Gannon
Allen	Berfield	Cretul	Garcia
Altman	Bilirakis	Culp	Gardiner
Ambler	Bogdanoff	Cusack	Gelber
Anderson	Bowen	Davis, D.	Gibson, A.
Antone	Brandenburg	Davis, M.	Gibson, H.
Arza	Brown	Dean	Goldstein
Attkisson	Brummer	Detert	Goodlette
Ausley	Brutus	Domino	Gottlieb
Barreiro	Bucher	Evers	Grant
Baxley	Bullard	Farkas	Greenstein
Bean	Cannon	Fields	Grimsley
Bendross-Mindingall	Carroll	Flores	Harrell
Bense	Clarke	Galvano	

Hasner	Littlefield	Poppell	Seiler
Hays	Llorente	Porth	Simmons
Henriquez	Lopez-Cantera	Proctor	Slosberg
Holloway	Machek	Quinones	Smith
Homan	Mahon	Reagan	Sobel
Hukill	Mayfield	Rice	Sorensen
Jennings	McInvale	Richardson	Stansel
Johnson	Meadows	Rivera	Stargel
Jordan	Mealor	Robaina	Taylor
Joyner	Murzin	Roberson	Traviesa
Kendrick	Needelman	Ross	Troutman
Kottkamp	Negron	Rubio	Vana
Kravitz	Patterson	Russell	Waters
Kreegel	Peterman	Ryan	Williams
Kyle	Pickens	Sands	Zapata
Legg	Planas	Sansom	

Nays—None

Votes after roll call:

Yeas—Justice

So the bill passed and was immediately certified to the Senate.

CS for SB 2034—A bill to be entitled An act relating to educational opportunities for children and spouses of deceased or disabled veterans and servicemembers; amending s. 295.01, F.S.; providing that it is the declared policy of the state to provide educational opportunity at state expense for spouses of deceased or disabled servicemembers; providing criteria for qualification for such benefits for unremarried spouses of deceased servicemembers and dependent spouses of disabled servicemembers; amending s. 295.02, F.S.; specifying uses of funds appropriated for such educational opportunities; amending s. 295.03, F.S., relating to withdrawal of benefits upon failure to comply with minimum educational requirements; revising terminology; amending s. 295.05, F.S., relating to enrollment as a prerequisite to receipt of benefits; revising terminology; providing an effective date.

—was read the second time by title.

On motion by Rep. Jordan, CS for SB 2034 was substituted for HB 1065. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Jordan, the rules were waived and CS for SB 2034 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1152

Speaker Bense in the Chair.

Yeas—117

Adams	Brutus	Gardiner	Kendrick
Allen	Bucher	Gelber	Kottkamp
Altman	Bullard	Gibson, A.	Kravitz
Ambler	Cannon	Gibson, H.	Kreegel
Anderson	Carroll	Glorioso	Kyle
Antone	Clarke	Goldstein	Legg
Arza	Coley	Goodlette	Littlefield
Attkisson	Cretul	Gottlieb	Llorente
Ausley	Culp	Grant	Lopez-Cantera
Barreiro	Cusack	Greenstein	Machek
Baxley	Davis, D.	Grimsley	Mahon
Bean	Davis, M.	Harrell	Mayfield
Bendross-Mindingall	Dean	Hasner	McInvale
Bense	Detert	Hays	McInvale
Benson	Domino	Henriquez	Meadows
Berfield	Evers	Holloway	Mealor
Bilirakis	Farkas	Homan	Murzin
Bogdanoff	Fields	Jennings	Needelman
Bowen	Flores	Johnson	Negron
Brandenburg	Galvano	Jordan	Patterson
Brown	Gannon	Joyner	Peterman
Brummer	Garcia	Justice	Pickens
			Planas

Poppell	Roberson	Simmons	Troutman
Porth	Ross	Slosberg	Vana
Proctor	Rubio	Sobel	Waters
Quinones	Russell	Sorensen	Williams
Reagan	Ryan	Stansel	Zapata
Rice	Sands	Stargel	
Rivera	Sansom	Taylor	
Robaina	Seiler	Traviesa	

Rivera	Ryan	Smith	Traviesa
Robaina	Sands	Sobel	Troutman
Roberson	Sansom	Sorensen	Vana
Ross	Seiler	Stansel	Waters
Rubio	Simmons	Stargel	Williams
Russell	Slosberg	Taylor	Zapata

Nays—None

Nays—None

Votes after roll call:

Yeas—Hukill, Richardson, Smith

So the bill passed and was immediately certified to the Senate.

CS for CS for SB 2184—A bill to be entitled An act relating to parental relocation with a child; amending s. 61.13, F.S.; deleting standards for determining whether to allow a primary residential parent to move a child; creating s. 61.13001, F.S.; providing definitions; providing for the relocation of a child by agreement; providing for notification of certain persons of the intent to relocate a child and providing procedures therefor; requiring that certain information be provided on a Notice of Intent to Relocate; providing procedures for objecting to the relocation of a child; providing applicability of public records law; providing for content of an objection to relocation; authorizing the court to grant a temporary order restraining the relocation of a child under certain circumstances; prohibiting certain presumptions and requiring that certain factors be evaluated by the court with regard to relocation of a child; assigning the burden of proof in cases of relocation of a child; authorizing the court to order certain contact with the child by the nonrelocating party; granting priority for certain hearings and trials under s. 61.13001, F.S.; amending s. 28.241, F.S.; providing that the filing of certain notices and orders regarding an uncontested relocation are exempt from filing fees; providing applicability; providing an effective date.

—was read the second time by title.

On motion by Rep. Stargel, CS for CS for SB 2184 was substituted for HB 1047. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Stargel, the rules were waived and CS for CS for SB 2184 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1153

Speaker Bense in the Chair.

Yeas—120

Adams	Bullard	Glorioso	Legg
Allen	Cannon	Goldstein	Littlefield
Altman	Carroll	Goodlette	Llorente
Ambler	Clarke	Gottlieb	Lopez-Cantera
Anderson	Coley	Grant	Machek
Antone	Cretul	Greenstein	Mahon
Arza	Culp	Grimsley	Mayfield
Attkisson	Cusack	Harrell	McInvale
Ausley	Davis, D.	Hasner	Meadows
Barreiro	Davis, M.	Hays	Mealor
Baxley	Dean	Henriquez	Murzin
Bean	Detert	Holloway	Needelman
Bendross-Mindingall	Domino	Homan	Negron
Bense	Evers	Hukill	Patterson
Benson	Farkas	Jennings	Peterman
Berfield	Fields	Johnson	Pickens
Bilirakis	Flores	Jordan	Planas
Bogdanoff	Galvano	Joyner	Poppell
Bowen	Gannon	Justice	Porth
Brandenburg	Garcia	Kendrick	Proctor
Brown	Gardiner	Kottkamp	Quinones
Brummer	Gelber	Kravitz	Reagan
Brutus	Gibson, A.	Kreegel	Rice
Bucher	Gibson, H.	Kyle	Richardson

So the bill passed and was immediately certified to the Senate.

CS for SB 2432—A bill to be entitled An act relating to prepaid limited and discount medical plans; amending s. 636.044, F.S.; exempting certain sellers of travel from licensing requirements to sell prepaid limited health service contracts that cover the cost of transportation provided by an air ambulance service; providing an effective date.

—was read the second time by title.

On motion by Rep. Berfield, CS for SB 2432 was substituted for HB 1501. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Berfield, the rules were waived and CS for SB 2432 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1154

Speaker Bense in the Chair.

Yeas—119

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Sands
Bense	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Traviesa
Bullard	Grimsley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Williams
Coley	Henriquez	Planas	Zapata
Cretul	Holloway	Poppell	

Nays—None

So the bill passed and was immediately certified to the Senate.

SB 2340—A bill to be entitled An act relating to trust funds; creating s. 20.3151, F.S.; creating the Administrative Trust Fund within the Department of Corrections; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

On motion by Rep. Barreiro, SB 2340 was substituted for HB 5035. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Barreiro, the rules were waived and SB 2340 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1155

Speaker Bense in the Chair.

Yeas—119

Adams	Culp	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Jennings	Reagan
Ambler	Davis, M.	Johnson	Rice
Anderson	Dean	Jordan	Richardson
Antone	Detert	Joyner	Rivera
Arza	Domino	Justice	Robaina
Attkisson	Evers	Kendrick	Roberson
Ausley	Farkas	Kottkamp	Ross
Barreiro	Fields	Kravitz	Rubio
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, A.	Mahon	Slosberg
Bogdanoff	Gibson, H.	Mayfield	Smith
Bowen	Glorioso	McInvale	Sobel
Brandenburg	Goldstein	Meadows	Sorensen
Brown	Goodlette	Mealor	Stansel
Brummer	Gottlieb	Murzin	Stargel
Brutus	Grant	Needelman	Taylor
Bucher	Greenstein	Negron	Traviesa
Bullard	Grimsley	Patterson	Troutman
Cannon	Harrell	Peterman	Vana
Carroll	Hasner	Pickens	Waters
Clarke	Hays	Planas	Williams
Coley	Henriquez	Poppell	Zapata
Cretul	Holloway	Porth	

Nays—None

Votes after roll call:

Yeas—Kyle

So the bill passed by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

SB 2342—A bill to be entitled An act relating to trust funds; creating s. 945.21503, F.S.; creating the Federal Grants Trust Fund within the Department of Corrections; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

On motion by Rep. Barreiro, SB 2342 was substituted for HB 5037. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Barreiro, the rules were waived and SB 2342 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1156

Speaker Bense in the Chair.

Yeas—118

Adams	Ambler	Arza	Barreiro
Allen	Attkisson	Baxley	
Altman	Antone	Ausley	Bean

Bendross-Mindingall	Fields	Justice	Rice
Bense	Flores	Kendrick	Richardson
Benson	Galvano	Kottkamp	Rivera
Berfield	Gannon	Kravitz	Robaina
Bilirakis	Garcia	Kreegel	Roberson
Bogdanoff	Gardiner	Legg	Ross
Bowen	Gelber	Littlefield	Rubio
Brandenburg	Gibson, A.	Llorente	Russell
Brown	Gibson, H.	Lopez-Cantera	Ryan
Brummer	Glorioso	Machek	Sands
Brutus	Goldstein	Mahon	Sansom
Bucher	Goodlette	Mayfield	Seiler
Bullard	Gottlieb	McInvale	Simmons
Cannon	Grant	Meadows	Slosberg
Carroll	Greenstein	Mealor	Smith
Clarke	Grimsley	Murzin	Sobel
Coley	Harrell	Needelman	Sorensen
Cretul	Hasner	Negron	Stansel
Culp	Hays	Patterson	Stargel
Cusack	Henriquez	Peterman	Taylor
Davis, D.	Holloway	Pickens	Traviesa
Davis, M.	Homan	Planas	Troutman
Dean	Hukill	Poppell	Vana
Detert	Jennings	Porth	Waters
Domino	Johnson	Proctor	Williams
Evers	Jordan	Quinones	
Farkas	Joyner	Reagan	

Nays—None

Votes after roll call:

Yeas—Kyle, Zapata

So the bill passed by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

SB 2344—A bill to be entitled An act relating to trust funds; creating s. 943.367, F.S.; creating the Administrative Trust Fund within the Department of Law Enforcement; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

On motion by Rep. Barreiro, SB 2344 was substituted for HB 5039. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Barreiro, the rules were waived and SB 2344 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1157

Speaker Bense in the Chair.

Yeas—120

Adams	Brandenburg	Farkas	Hays
Allen	Brown	Fields	Henriquez
Altman	Brummer	Flores	Holloway
Ambler	Brutus	Galvano	Homan
Anderson	Bucher	Gannon	Hukill
Antone	Bullard	Garcia	Jennings
Arza	Cannon	Gardiner	Johnson
Attkisson	Carroll	Gelber	Jordan
Ausley	Clarke	Gibson, A.	Joyner
Barreiro	Coley	Gibson, H.	Justice
Baxley	Cretul	Glorioso	Kendrick
Bean	Culp	Goldstein	Kottkamp
Bendross-Mindingall	Cusack	Goodlette	Kravitz
Bense	Davis, D.	Gottlieb	Kreegel
Benson	Davis, M.	Grant	Kyle
Berfield	Dean	Greenstein	Legg
Bilirakis	Detert	Grimsley	Littlefield
Bogdanoff	Domino	Harrell	Llorente
Bowen	Evers	Hasner	Lopez-Cantera

Machek	Pickens	Roberson	Sobel
Mahon	Planas	Ross	Sorensen
Mayfield	Poppell	Rubio	Stansel
McInvale	Porth	Russell	Stargel
Meadows	Proctor	Ryan	Taylor
Mealor	Quinones	Sands	Traviesa
Murzin	Reagan	Sansom	Troutman
Needelman	Rice	Seiler	Vana
Negron	Richardson	Simmons	Waters
Patterson	Rivera	Slosberg	Williams
Peterman	Robaina	Smith	Zapata

Nays—None

So the bill passed by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

SB 2346—A bill to be entitled An act relating to trust funds; creating s. 943.366, F.S.; creating the Federal Grants Trust Fund within the Department of Law Enforcement; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

On motion by Rep. Barreiro, SB 2346 was substituted for HB 5041. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Barreiro, the rules were waived and SB 2346 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1158

Speaker Bense in the Chair.

Yeas—119

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Baxley	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Bense	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata
Culp	Homan	Porth	

Nays—None

So the bill passed by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

CS for SB 2348—A bill to be entitled An act relating to trust funds; amending s. 25.241, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state court system; amending s. 25.383, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state courts system; creating s. 25.3844, F.S.; creating the Operating Trust Fund within the state courts system; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; amending s. 29.0195, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state courts system; amending s. 35.22, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state courts system; providing an effective date.

—was read the second time by title.

On motion by Rep. Kottkamp, CS for SB 2348 was substituted for HB 5031. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Kottkamp, the rules were waived and CS for SB 2348 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1159

Speaker Bense in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

So the bill passed and was immediately certified to the Senate.

SB 2350—A bill to be entitled An act relating to trust funds; creating s. 25.3842, F.S.; creating the Federal Grants Trust Fund within the state courts system; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

On motion by Rep. Kottkamp, SB 2350 was substituted for HB 5033. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Kottkamp, the rules were waived and SB 2350 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1160

Speaker Bense in the Chair.

Yeas—119

Adams	Culp	Hukill	Proctor
Allen	Cusack	Jennings	Quinones
Altman	Davis, D.	Johnson	Reagan
Ambler	Davis, M.	Jordan	Rice
Anderson	Dean	Joyner	Richardson
Antone	Detert	Justice	Rivera
Arza	Domino	Kendrick	Robaina
Attkisson	Evers	Kottkamp	Roberson
Ausley	Farkas	Kravitz	Ross
Barreiro	Fields	Kreegel	Rubio
Baxley	Flores	Kyle	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, A.	Mahon	Slosberg
Bogdanoff	Gibson, H.	Mayfield	Smith
Bowen	Glorioso	McInvale	Sobel
Brandenburg	Goldstein	Meadows	Sorensen
Brown	Goodlette	Mealor	Stansel
Brummer	Gottlieb	Murzin	Stargel
Brutus	Grant	Needelman	Taylor
Bucher	Greenstein	Negron	Traviesa
Bullard	Grimsley	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata
Cretul	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Harrell

So the bill passed by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

CS for SB 1670—A bill to be entitled An act relating to state financial matters; amending s. 121.4501, F.S.; revising the method for calculating interest on certain moneys transferred between retirement accounts; providing for credit for military service of members of the Public Employee Optional Retirement Program; amending s. 121.591, F.S.; prescribing procedures to follow if a participant in the Public Employee Optional Retirement Program receives an invalid distribution; amending s. 215.47, F.S.; revising standards for determining eligibility of specified savings accounts, certificates of deposit, time drafts, bills of exchange, bonds, notes, and other instruments for investment by the State Board of Administration; amending s. 1002.36, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

On motion by Rep. Rivera, CS for SB 1670 was substituted for HB 7155. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Rivera, the rules were waived and CS for SB 1670 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1161

Speaker Bense in the Chair.

Yeas—116

Adams	Cusack	Hukill	Porth
Allen	Davis, D.	Jennings	Proctor
Altman	Davis, M.	Johnson	Quinones
Ambler	Dean	Jordan	Reagan
Anderson	Detert	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Rubio
Bendross-Mindingall	Gannon	Legg	Russell
Bense	Garcia	Littlefield	Ryan
Benson	Gardiner	Llorente	Sands
Berfield	Gelber	Lopez-Cantera	Sansom
Bilirakis	Gibson, H.	Machek	Seiler
Bogdanoff	Glorioso	Mahon	Simmons
Bowen	Goldstein	Mayfield	Slosberg
Brandenburg	Goodlette	McInvale	Smith
Brown	Gottlieb	Meadows	Sobel
Brummer	Grant	Mealor	Sorensen
Brutus	Greenstein	Murzin	Stansel
Bullard	Grimsley	Needelman	Stargel
Cannon	Harrell	Negron	Taylor
Carroll	Hasner	Patterson	Traviesa
Clarke	Hays	Peterman	Troutman
Coley	Henriquez	Pickens	Waters
Cretul	Holloway	Planas	Williams
Culp	Homan	Poppell	Zapata

Nays—2

Bucher Vana

Votes after roll call:

Yeas—Bean, Gibson, A.

So the bill passed and was immediately certified to the Senate.

Motion

On motion by Rep. Goodlette, the rules were waived and the House agreed to take up **HR 1637** for consideration.

Consideration of HR 1637

By Representatives Gelber, Bogdanoff, Brummer, Bucher, Gottlieb, Greenstein, Hasner, Henriquez, Rubio, Sands, Smith, Sobel and Stargel—

HR 1637—A resolution reaffirming support of Israel and concurring in United States Senate Concurrent Resolution 79 relating to the Palestinian Authority.

WHEREAS, it is the sense of this assembled body, in keeping with its time-honored traditions, to periodically reaffirm its support of nations and peoples with whom the State of Florida and this nation have had long-standing close relationships, and

WHEREAS, as a result of recent Palestinian Authority elections, it is incumbent upon this assembled body to stand by and support, with the firmest declaration of friendship, the people and State of Israel, and

WHEREAS, the democratic systems of government and pioneering histories of the United States and Israel linked and established a mutual respect between our two nations from the beginning, even to the extent that President Harry S. Truman offered official United States recognition of Israel a mere 11 minutes after it had declared its independence as a sovereign state, and

WHEREAS, the bond many Floridians have with Israelis is both strong and fervent; many Floridians have family and friends in Israel; and Florida and Israel have created many joint economic and social programs that have greatly benefited both, and

WHEREAS, since September 11, 2001, Americans, especially in Florida, have become sadly familiar with and gained a greater and deeper understanding of the specter of terrorism, and it is this unfortunate understanding that has strengthened the union of the hearts and souls of Israelis and Floridians against the evil which threatens to destroy humane and compassionate society, and

WHEREAS, Florida shares with Israel as well a deep belief in democracy, freedom, and security within their borders, and it is therefore with great dismay that this assembled body views the admittance of the Islamic Resistance Movement, Hamas, to the Palestinian Legislative Council without its being required to renounce its terrorist acts or to acknowledge the State of Israel's right to exist, and

WHEREAS, the fact that Hamas holds a majority of the seats in this government magnifies the concern exponentially, and

WHEREAS, Hamas, recognized by the international community as a terrorist organization, is responsible for more than 425 terrorist attacks since the beginning of the second intifada in the fall of 2000 and the deaths of 377 people, including women and children and approximately 27 Americans, since 1993, and

WHEREAS, the United States Senate and House of Representatives have adopted Senate Concurrent Resolution 79 expressing the sense of Congress that no United States assistance should be provided directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel, and

WHEREAS, the very existence of the State of Israel is a triumph over the oppression and hatred which have challenged the Jewish people throughout history, and the solidarity of the people of the State of Florida with the State of Israel is clear and unrelenting, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives pauses in its deliberations to express its concurrence in United States Senate Concurrent Resolution 79, to reiterate its abhorrence of terrorism, and to reaffirm its affinity with and support of the people and State of Israel.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Arye Mekel, Consul General of Israel, as a tangible token of the sentiments expressed herein.

—was read the first time by title and the second time by title.

Representative(s) Gelber offered the following:

(Amendment Bar Code: 014643)

Amendment 1—Remove line(s) 69 and insert:

presented to Yitzchak Ben-Gad, Consul General of Israel, as a tangible

Rep. Gelber moved the adoption of the amendment, which was adopted.

THE SPEAKER PRO TEMPORE IN THE CHAIR

On motion by Rep. Hasner, the board was opened [Session Vote Sequence: 1162] and the following members were recorded as cosponsors of the resolution, along with Reps. Gelber, Bogdanoff, Brummer, Bucher, Gottlieb, Greenstein, Hasner, Henriquez, Rubio, Sands, Smith, Sobel, and Stargel: Reps. Adams, Allen, Altman, Ambler, Anderson, Antone, Arza, Attkisson, Ausley, Barreiro, Baxley, Bean, Bendross-Mindingall, Benson, Berfield, Bilirakis, Bowen, Brandenburg, Brown, Brutus, Bullard, Cannon, Carroll, Clarke, Coley, Cretul, Culp, Cusack, D. Davis, M. Davis, Dean, Detert, Domino, Evers, Farkas, Fields, Flores, Galvano, Gannon, Garcia, Gardiner, A. Gibson, H. Gibson, Glorioso, Goldstein, Goodlette, Grant, Grimsley, Harrell, Hays, Holloway, Homan, Hukill, Jennings, Johnson, Jordan, Joyner, Justice, Kendrick, Kottkamp, Kravitz, Kreegel, Kyle, Legg, Littlefield, Llorente, Lopez-Cantera, Machek, Mahon, Mayfield, McInvale, Meadows, Mealor, Murzin, Needelman, Negron, Patterson, Peterman, Pickens, Planas,

Poppell, Porth, Proctor, Quinones, Reagan, Rice, Richardson, Rivera, Robaina, Roberson, Ross, Russell, Ryan, Sansom, Seiler, Simmons, Slosberg, Sorensen, Stansel, Taylor, Traviesa, Troutman, Vana, Waters, Williams, and Zapata.

The question recurred on the adoption of HR 1637. On motion by Rep. Gelber, the resolution was adopted. The vote was:

Session Vote Sequence: 1163

Representative Waters in the Chair.

Yeas—120

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata

Nays—None

On motion by Rep. Goodlette, the rules were waived and the House moved to the order of—

Special Orders

CS for CS for CS for SB 2114—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.068, F.S.; specifying information to be included in a crash report; creating a rebuttable presumption regarding the existence of passengers; specifying conditions relating to reporting passengers; amending s. 322.26, F.S.; providing an additional circumstance relating to insurance crimes for mandatory revocation of a person's driver's license; amending s. 817.234, F.S.; prohibiting scheming to create documentation of a motor vehicle crash that did not occur; providing a criminal penalty; amending s. 817.2361, F.S.; providing that creating, marketing, or presenting fraudulent proof of motor vehicle insurance is a felony of the third degree; providing appropriations; authorizing positions and a salary rate; abrogating the repeal of provisions pertaining to the Florida Motor Vehicle No-Fault Law; providing an effective date.

—was read the second time by title.

On motion by Rep. Ross, the rules were waived and CS for CS for CS for SB 2114 was substituted for HB 7263. Under Rule 5.14, the House bill was laid on the table.

On motion by Rep. Ross, the rules were waived and CS for CS for CS for SB 2114 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1164

Representative Waters in the Chair.

Yeas—118

Adams	Davis, D.	Jennings	Quinones
Allen	Davis, M.	Johnson	Reagan
Altman	Dean	Jordan	Rice
Ambler	Detert	Joyner	Richardson
Anderson	Domino	Justice	Rivera
Antone	Evers	Kendrick	Robaina
Arza	Farkas	Kottkamp	Roberson
Attkisson	Fields	Kravitz	Ross
Ausley	Flores	Kreegel	Rubio
Barreiro	Galvano	Kyle	Russell
Baxley	Gannon	Legg	Ryan
Bean	Garcia	Littlefield	Sands
Bendross-Mindingall	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata
Culp	Homan	Porth	
Cusack	Hukill	Proctor	

Nays—1

Brown

So the bill passed and was immediately certified to the Senate.

CS for SB 508—A bill to be entitled An act relating to sexual predators; amending s. 775.21, F.S.; redefining the terms "permanent residence" and "temporary residence" in order to reduce the number of consecutive days and days in the aggregate which constitute the residence of a sexual predator for purposes of requirements that the predator register with the Department of Law Enforcement, the sheriff's office, or the Department of Corrections; providing an effective date.

—was read the second time by title.

Representatives Simmons and Brandenburg offered the following:

(Amendment Bar Code: 165093)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraphs (f) and (g) of subsection (2), paragraph (a) of subsection (7), and paragraph (b) of subsection (10) of section 775.21, Florida Statutes, are amended to read:

775.21 The Florida Sexual Predators Act.--

(2) DEFINITIONS.--As used in this section, the term:

(f) "Permanent residence" means a place where the person abides, lodges, or resides for 5 ~~44~~ or more consecutive days.

(g) "Temporary residence" means a place where the person abides, lodges, or resides for a period of 5 ~~44~~ or more days in the aggregate during any calendar year and which is not the person's permanent address; or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any

period of time in this state; ~~or a place where the person routinely abides, lodges, or resides for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence, including any out of state address.~~

(7) COMMUNITY AND PUBLIC NOTIFICATION.--

(a) Law enforcement agencies must inform members of the community and the public of a sexual predator's presence. Upon notification of the presence of a sexual predator, the sheriff of the county or the chief of police of the municipality where the sexual predator establishes or maintains a permanent or temporary residence shall notify members of the community and the public of the presence of the sexual predator in a manner deemed appropriate by the sheriff or the chief of police. Within 48 hours after receiving notification of the presence of a sexual predator, the sheriff of the county or the chief of police of the municipality where the sexual predator temporarily or permanently resides shall notify each licensed day care center, elementary school, middle school, ~~and~~ high school, ~~and~~ library within a 1-mile radius of the temporary or permanent residence of the sexual predator of the presence of the sexual predator. Information provided to members of the community and the public regarding a sexual predator must include:

1. The name of the sexual predator;
2. A description of the sexual predator, including a photograph;
3. The sexual predator's current address, including the name of the county or municipality if known;
4. The circumstances of the sexual predator's offense or offenses; and
5. Whether the victim of the sexual predator's offense or offenses was, at the time of the offense, a minor or an adult.

This paragraph does not authorize the release of the name of any victim of the sexual predator.

(10) PENALTIES.--

(b) A sexual predator who has been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation, or attempted violation, of s. 787.01, s. 787.02, or s. 787.025, where the victim is a minor and the defendant is not the victim's parent; s. 794.011(2), (3), (4), (5), or (8); s. 794.05; s. 796.03; s. 800.04; s. 827.071; s. 847.0133; or s. 847.0145, or a violation of a similar law of another jurisdiction, when the victim of the offense was a minor, and who works, whether for compensation or as a volunteer, at any ~~business~~, school, day care center, park, playground, library, or business or other place where children regularly congregate, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 775.215, Florida Statutes, is created to read:

775.215 Residency exclusions for sexual offenders or predators; local ordinances preempted.--

(1) The establishment of residency exclusions applicable to the residences of a person required to register as a sexual offender or sexual predator is expressly preempted to the state, and the provisions of ss. 794.065, 947.1405, and 948.30 establishing such exclusions supersede any municipal or county ordinances imposing different exclusions.

(2) A provision of any ordinance adopted by a county or municipality prior to October 1, 2006, imposing residency exclusions for the residences of persons subject to the provisions of s. 794.065, s. 947.1405, or s. 948.30 is hereby repealed and abolished as of October 1, 2006.

Section 3. Subsection (2) of section 775.24, Florida Statutes, is amended to read:

775.24 Duty of the court to uphold laws governing sexual predators and sexual offenders.--

(2) If a person meets the criteria in this chapter for designation as a sexual predator or meets the criteria in s. 943.0435, s. 944.606, s. 944.607, or any other law for classification as a sexual offender, the court may not enter an order, for the purpose of approving a plea agreement or for any other reason, which:

(a) Exempts a person who meets the criteria for designation as a sexual predator or classification as a sexual offender from such designation or classification, ~~or~~ exempts such person from the requirements for registration or community and public notification imposed upon sexual predators and

sexual offenders, or exempts such person from the residency exclusions contained in ss. 794.065, 947.1405, and 948.30;

(b) Restricts the compiling, reporting, or release of public records information that relates to sexual predators or sexual offenders; or

(c) Prevents any person or entity from performing its duties or operating within its statutorily conferred authority as such duty or authority relates to sexual predators or sexual offenders.

Section 4. Section 794.065, Florida Statutes, is amended to read:

794.065 Unlawful place of residence for persons convicted of certain sex offenses.--

(1)(a)1. It is unlawful for any person who has been convicted of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, to reside within 1,000 feet of any school, day care center, park, or playground.

2. A person who violates this subsection and whose conviction for an offense listed in subparagraph 1. ~~under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145~~ was classified as:

a. A felony of the first degree or higher, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. ~~A person who violates this section and whose conviction under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 was classified as~~

b. A felony of the second or third degree, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b)2. This subsection applies to any person convicted of an offense listed in subparagraph 1. if the offense occurred ~~a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 for offenses that occur~~ on or after October 1, 2004.

(2)(a)1. It is unlawful for any person who has been convicted of a violation of s. 787.01(3)(a)2., 3., 4., or 5., s. 787.02(3)(a)2., 3., 4., or 5., s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, to reside within 1,500 feet of any school, day care center, park, playground, library, or other business or place where children regularly congregate.

2. A person violating this subsection whose conviction of an offense listed in subparagraph 1. was classified as:

a. A felony of the first degree or higher, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

b. A felony of the second or third degree, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) The distances in this subsection shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, library, or other business or place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

(c) This subsection applies to any person convicted of an offense listed in subparagraph (a)1. if the offense occurred on or after October 1, 2006.

Section 5. Effective July 1, 2006, subsections (2) and (6) and paragraph (a) of subsection (7) of section 947.1405, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

947.1405 Conditional release program.--

(2)(a) Any inmate who:

1. ~~(a)~~ Is convicted of a crime committed on or after October 1, 1988, and before January 1, 1994; ~~and any inmate who is convicted of a crime committed on or after January 1, 1994, which crime is or was contained in category 1, category 2, category 3, or category 4 of Rule 3.701 and Rule 3.988, Florida Rules of Criminal Procedure (1993), and who has served at least one prior felony commitment at a state or federal correctional institution; or is convicted under any of the following statutory provisions committed on or after July 1, 2006:~~

a. Kidnapping, under s. 787.01(3)(a)2., 3., 4., or 5.;

b. False imprisonment, under s. 787.02(3)(a)2., 3., 4., or 5.;

c. Sexual performance by a child, under s. 827.071; or

d. Selling or buying of minors, under s. 847.0145;

2. ~~(b)~~ Is sentenced as a habitual or violent habitual offender or a violent career criminal pursuant to s. 775.084; or

3. ~~(c)~~ Is found to be a sexual predator under s. 775.21 or former s. 775.23,

shall, upon reaching the tentative release date or provisional release date, whichever is earlier, as established by the Department of Corrections, be released under supervision subject to specified terms and conditions, including payment of the cost of supervision pursuant to s. 948.09. Such supervision shall be applicable to all sentences within the overall term of sentences if an inmate's overall term of sentences includes one or more sentences that are eligible for conditional release supervision as provided herein.

(b) Effective July 1, 1994, and applicable for offenses committed on or after that date, the commission may require, as a condition of conditional release, that the releasee make payment of the debt due and owing to a county or municipal detention facility under s. 951.032 for medical care, treatment, hospitalization, or transportation received by the releasee while in that detention facility. The commission, in determining whether to order such repayment and the amount of such repayment, shall consider the amount of the debt, whether there was any fault of the institution for the medical expenses incurred, the financial resources of the releasee, the present and potential future financial needs and earning ability of the releasee, and dependents, and other appropriate factors.

(c) If any inmate, ~~other than an inmate required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435,~~ placed on conditional release supervision is also subject to probation or community control, resulting from a probationary or community control split sentence within the overall term of sentences, the Department of Corrections shall supervise such person according to the conditions imposed by the court and the commission shall defer to such supervision. If the court revokes probation or community control and resents the offender to a term of incarceration, such revocation also constitutes a sufficient basis for the revocation of the conditional release supervision on any nonprobationary or noncommunity control sentence without further hearing by the commission. If any such supervision on any nonprobationary or noncommunity control sentence is revoked, such revocation may result in a forfeiture of all gain-time, and the commission may revoke the resulting deferred conditional release supervision or take other action it considers appropriate. If the term of conditional release supervision exceeds that of the probation or community control, then, upon expiration of the probation or community control, authority for the supervision shall revert to the commission and the supervision shall be subject to the conditions imposed by the commission.

(d) If any inmate required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 is placed on conditional release supervision is also subject to probation or community control, the period of court-ordered community supervision shall not be substituted for conditional release supervision and shall follow the term of conditional release supervision.

(e) A panel of no fewer than two commissioners shall establish the terms and conditions of any such release. If the offense was a controlled substance violation, the conditions shall include a requirement that the offender submit to random substance abuse testing intermittently throughout the term of conditional release supervision, upon the direction of the correctional probation officer as defined in s. 943.10(3). The commission shall also determine whether the terms and conditions of such release have been violated and whether such violation warrants revocation of the conditional release.

(6) The commission shall review the recommendations of the department, and such other information as it deems relevant, and may conduct a review of the inmate's record for the purpose of establishing the terms and conditions of the conditional release. The commission may impose any special conditions it considers warranted from its review of the release plan and recommendation. If the commission determines that the inmate is eligible for release under this section, the commission shall enter an order establishing the length of supervision and the conditions attendant thereto. However, an inmate who has been convicted of a violation of chapter 794 or found by the court to be a sexual predator is subject to the maximum level of supervision provided, with the mandatory conditions as required in subsection (7), and that supervision shall continue through the end of the releasee's original court-imposed

sentence. The length of supervision must not exceed the maximum penalty imposed by the court. The commission may modify the conditions of supervision at any time as warranted in the interest of public safety.

(7)(a) Any inmate who is convicted of a crime committed on or after October 1, 1995, or who has been previously convicted of a crime committed on or after October 1, 1995, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and is subject to conditional release supervision, shall have, in addition to any other conditions imposed, the following special conditions imposed by the commission:

1. A mandatory curfew from 10 p.m. to 6 a.m. The commission may designate another 8-hour period if the offender's employment precludes the above specified time, and such alternative is recommended by the Department of Corrections. If the commission determines that imposing a curfew would endanger the victim, the commission may consider alternative sanctions.

2.a. If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, designated public school bus stop, or other place where children regularly congregate. A releasee who is subject to this subparagraph may not relocate to a residence that is within 1,000 feet of a public school bus stop.

b. Beginning October 1, 2004, the commission or the department may not approve a residence that is located within 1,000 feet of a school, day care center, park, playground, designated school bus stop, or other place where children regularly congregate for any releasee who is subject to this subparagraph. On October 1, 2004, the department shall notify each affected school district of the location of the residence of a releasee 30 days prior to release and thereafter, if the releasee relocates to a new residence, shall notify any affected school district of the residence of the releasee within 30 days after relocation. If, on October 1, 2004, any public school bus stop is located within 1,000 feet of the existing residence of such releasee, the district school board shall relocate that school bus stop. Beginning October 1, 2004, a district school board may not establish or relocate a public school bus stop within 1,000 feet of the residence of a releasee who is subject to this subparagraph. The failure of the district school board to comply with this subparagraph shall not result in a violation of conditional release supervision.

c. Beginning October 1, 2006, neither the commission nor the department may approve a residence located within 1,500 feet of a school, day care center, park, playground, designated school bus stop, library, or other business or place where children regularly congregate for any releasee who is subject to this subparagraph. The distance provided in this sub-subparagraph shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, library, or other business or place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

3. Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the releasee's own expense. If a qualified practitioner is not available within a 50-mile radius of the releasee's residence, the offender shall participate in other appropriate therapy.

4. A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.

5. If the victim was under the age of 18, a prohibition against contact with children under the age of 18 without review and approval by the commission. The commission may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The commission may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time. When considering whether to approve supervised contact with a child, the commission must review and consider the following:

a. A risk assessment completed by a qualified practitioner. The qualified practitioner must prepare a written report that must include the findings of the assessment and address each of the following components:

(I) The sex offender's current legal status;

(II) The sex offender's history of adult charges with apparent sexual motivation;

(III) The sex offender's history of adult charges without apparent sexual motivation;

(IV) The sex offender's history of juvenile charges, whenever available;

(V) The sex offender's offender treatment history, including a consultation from the sex offender's treating, or most recent treating, therapist;

(VI) The sex offender's current mental status;

(VII) The sex offender's mental health and substance abuse history as provided by the Department of Corrections;

(VIII) The sex offender's personal, social, educational, and work history;

(IX) The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;

(X) A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;

(XI) The child's preference and relative comfort level with the proposed contact, when age-appropriate;

(XII) The parent's or legal guardian's preference regarding the proposed contact; and

(XIII) The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the commission.

b. A recommendation made as a part of the risk-assessment report as to whether supervised contact with the child should be approved;

c. A written consent signed by the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, agreeing to the sex offender having supervised contact with the child after receiving full disclosure of the sex offender's present legal status, past criminal history, and the results of the risk assessment. The commission may not approve contact with the child if the parent or legal guardian refuses to give written consent for supervised contact;

d. A safety plan prepared by the qualified practitioner, who provides treatment to the offender, in collaboration with the sex offender, the child's parent or legal guardian, and the child, when age appropriate, which details the acceptable conditions of contact between the sex offender and the child. The safety plan must be reviewed and approved by the Department of Corrections before being submitted to the commission; and

e. Evidence that the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, understands the need for and agrees to the safety plan and has agreed to provide, or to designate another adult to provide, constant supervision any time the child is in contact with the offender.

The commission may not appoint a person to conduct a risk assessment and may not accept a risk assessment from a person who has not demonstrated to the commission that he or she has met the requirements of a qualified practitioner as defined in this section.

6. If the victim was under age 18, a prohibition on working for pay or as a volunteer at any school, day care center, park, playground, library, or other business or place where children regularly congregate, as prescribed by the commission.

7. Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

8. Effective for a releasee whose crime is committed on or after July 1, 2005, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

9. A requirement that the releasee must submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA database.

10. A requirement that the releasee make restitution to the victim, as determined by the sentencing court or the commission, for all necessary

medical and related professional services relating to physical, psychiatric, and psychological care.

11. Submission to a warrantless search by the community control or probation officer of the probationer's or community controllee's person, residence, or vehicle.

(11) Effective for a releasee whose crime was a violation of s. 787.01(3)(a) 2., 3., 4., or 5. or s. 787.02(3)(a) 2., 3., 4., or 5., who committed the offense on or after October 1, 2006, and who was 18 years of age or older at the time of the offense, in addition to any other provision of this section, the commission must order electronic monitoring for the duration of the releasee's supervision.

Section 6. Effective July 1, 2006, subsection (8) is added to section 947.141, Florida Statutes, to read:

947.141 Violations of conditional release, control release, or conditional medical release or addition-recovery supervision.--

(8) Because of the compelling state interest in protecting the public from sexual offenders or sexual predators granted the privilege of conditional release, in any hearing alleging a violation of conditional release by a releasee for failure to comply with the residency exclusion in s. 947.1405, the inability of the releasee to locate a residence in compliance with s. 947.1405 shall not be a defense to the finding of a violation under this section.

Section 7. Subsection (4) of section 948.06, Florida Statutes, is amended to read:

948.06 Violation of probation or community control; revocation; modification; continuance; failure to pay restitution or cost of supervision.--

(4) Notwithstanding any other provision of this section, a probationer or an offender in community control who is arrested for violating his or her probation or community control in a material respect may be taken before the court in the county or circuit in which the probationer or offender was arrested. That court shall advise him or her of such charge of a violation and, if such charge is admitted, shall cause him or her to be brought before the court which granted the probation or community control. If such violation is not admitted by the probationer or offender, the court may commit him or her or release him or her with or without bail to await further hearing. However, if the probationer or offender is under supervision for any criminal offense proscribed in chapter 794, s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a registered sexual predator or a registered sexual offender, or is under supervision for a criminal offense for which he or she would meet the registration criteria in s. 775.21, s. 943.0435, or s. 944.607 but for the effective date of those sections, the court must make a finding that the probationer or offender poses no is not a danger to the public prior to release with or without bail. In determining that the offender poses no danger to the public the danger posed by the offender's or probationer's release, the court may consider the nature and circumstances of the violation and any new offenses charged; the offender's or probationer's past and present conduct, including convictions of crimes; any record of arrests without conviction for crimes involving violence or sexual crimes; any other evidence of allegations of unlawful sexual conduct or the use of violence by the offender or probationer; the offender's or probationer's family ties, length of residence in the community, employment history, and mental condition; his or her history and conduct during the probation or community control supervision from which the violation arises and any other previous supervisions, including disciplinary records of previous incarcerations; the likelihood that the offender or probationer will engage again in a criminal course of conduct; the weight of the evidence against the offender or probationer; whether the probationer is currently subject to electronic monitoring; and any other facts the court considers relevant. The court, as soon as is practicable, shall give the probationer or offender an opportunity to be fully heard on his or her behalf in person or by counsel. After such hearing, the court shall make findings of fact and forward the findings to the court which granted the probation or community control and to the probationer or offender or his or her attorney. The findings of fact by the hearing court are binding on the court which granted the probation or community control. Upon the probationer or offender being brought before it, the court which granted the probation or community control may revoke, modify, or continue the probation or community control or may place the probationer into community control as provided in this section.

Section 8. Section 948.063, Florida Statutes, is amended to read:

948.063 Violations of probation or community control by designated sexual offenders and sexual predators.--

(1) If probation or community control for any felony offense is revoked by the court pursuant to s. 948.06(2)(e) and the offender is required to register designated as a sexual offender or sexual predator under pursuant to s. 775.21 or as a sexual offender under s. 943.0435 or s. 944.607 for unlawful sexual activity involving a victim under 16 +5 years of age or younger and the offender is 18 years of age or older, and if the court imposes a subsequent term of supervision following the revocation of probation or community control, the court must order electronic monitoring as a condition of the subsequent term of probation or community control.

(2) If the probationer or offender is required to register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435 for unlawful sexual activity involving a victim under 16 years of age and the probationer or offender is 18 years of age or older and has violated the conditions of his or her probation or community control, but the court does not revoke the probation or community control, the court shall nevertheless modify the probation or community control to include electronic monitoring for any probationer or offender not then subject to electronic monitoring.

Section 9. Effective September 1, 2006, paragraph (b) of subsection (1) and subsection (3) of section 948.30, Florida Statutes, are amended, and subsection (4) is added to that section, to read:

948.30 Additional terms and conditions of probation or community control for certain sex offenses.--Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

(1) Effective for probationers or community controllees whose crime was committed on or after October 1, 1995, and who are placed under supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, the court must impose the following conditions in addition to all other standard and special conditions imposed:

(b)1. Except as provided in subparagraph 2., if the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, or other place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

2. For probationers or community controllees whose crime was committed on or after October 1, 2006, if the victim was under the age of 18, a prohibition on living within 1,500 feet of a school, day care center, park, playground, library, or other business or place where children regularly congregate, as prescribed by the court. This distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, library, or other business or place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

(3) Effective for a probationer or community controllee whose felony offense crime was committed on or after September 1, 2005, and who:

(a) Is placed on probation or community control for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim under 16 +5 years of age or younger and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim under 16 +5 years of age or younger and the offender is 18 years of age or older,

the court must order, in addition to any other provision of this section, mandatory electronic monitoring as a condition of the probation or community control supervision.

(4) Effective for a probationer or community controllee whose felony offense was committed on or after September 1, 2006, and who:

(a) Is placed on probation or community control for a violation of s. 787.01(3)(a)2., 3., 4., or 5., s. 787.02(3)(a)2., 3., 4., or 5., chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim under 16 years of age and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of s. 787.01(3)(a)2., 3., 4., or 5., s. 787.02(3)(a)2., 3., 4., or 5., chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim under 16 years of age and the offender is 18 years of age or older.

the court must order, in addition to any other provision of this section, mandatory electronic monitoring as a condition of the probation or community control supervision.

Section 10. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2006.

===== TITLE AMENDMENT =====

Remove the entire title and insert:

A bill to be entitled

An act relating to sexual offenders and predators; amending s. 775.21, F.S.; redefining the terms "permanent residence" and "temporary residence" in order to reduce the number of consecutive days and days in the aggregate that constitute the residence of a sexual predator for purposes of requirements that the predator register with the Department of Law Enforcement, the sheriff's office, or the Department of Corrections; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing penalties; creating s. 775.215, F.S.; specifying residency exclusions for sexual offenders or sexual predators; preempting and repealing certain local ordinances; amending s. 775.24, F.S.; revising provisions relating to residency exclusions for sexual predators and sexual offenders; amending s. 794.065, F.S.; providing additional residency restrictions on certain offenders; providing penalties; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; amending s. 947.141, F.S.; revising provisions relating to hearings alleging a violation of community release by specified releasees for failure to comply with specified residency exclusions; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.063, F.S.; revising provisions relating to violations of probation or community control by designated sexual offenders and sexual predators; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing effective dates.

Rep. Simmons moved the adoption of the amendment, which was adopted.

On motion by Rep. Simmons, the rules were waived and CS for SB 508 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1165

Representative Waters in the Chair.

Yeas—119

Adams	Berfield	Cretul	Garcia
Allen	Bilirakis	Culp	Gardiner
Altman	Bogdanoff	Cusack	Gelber
Ambler	Bowen	Davis, D.	Gibson, A.
Anderson	Brandenburg	Davis, M.	Gibson, H.
Antone	Brown	Dean	Glorioso
Arza	Brummer	Detert	Goldstein
Attkisson	Brutus	Domino	Goodlette
Ausley	Bucher	Evers	Gottlieb
Barreiro	Bullard	Farkas	Grant
Baxley	Cannon	Fields	Greenstein
Bean	Carroll	Flores	Grimsley
Bendross-Mindingall	Clarke	Galvano	Harrell
Benson	Coley	Gannon	Hasner

Hays	Littlefield	Poppell	Seiler
Henriquez	Llorente	Porth	Simmons
Holloway	Lopez-Cantera	Proctor	Slosberg
Homan	Machek	Quinones	Smith
Hukill	Mahon	Reagan	Sobel
Jennings	Mayfield	Rice	Sorensen
Johnson	McInvale	Richardson	Stansel
Jordan	Meadows	Rivera	Stargel
Joyner	Mealor	Robaina	Taylor
Justice	Murzin	Roberson	Traviesa
Kendrick	Needelman	Ross	Troutman
Kottkamp	Negron	Rubio	Vana
Kravitz	Patterson	Russell	Waters
Kreegel	Peterman	Ryan	Williams
Kyle	Pickens	Sands	Zapata
Legg	Planas	Sansom	

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

Motion

On motion by Rep. Goodlette, the rules were waived and the House agreed to take up **HB 217**, on Unfinished Business, for consideration.

Unfinished Business

HB 217—A bill to be entitled An act relating to sinkhole insurance; amending s. 627.706, F.S.; allowing a deductible amount applicable to sinkhole losses in a policy for residential property insurance; defining the term "professional engineer"; amending s. 627.707, F.S.; revising references to certain engineers; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; amending s. 627.7072, F.S.; revising references to certain engineers; eliminating the requirement for certain testing compliance; amending s. 627.7073, F.S.; revising requirements for sinkhole reports by professional engineers and professional geologists; providing for the recording of sinkhole reports by the clerk of court rather than the property appraiser; creating s. 627.7074, F.S.; prescribing an alternative method for resolving disputed sinkhole insurance claims; providing definitions; prescribing procedures for invoking the alternative method; providing that a recommendation by a neutral evaluator is not binding on any party; providing for payments of costs; requiring the insurer to pay attorney's fees of the policyholder up to a specified amount under certain conditions; providing that an insurer is not liable for attorney's fees or for certain damages under certain conditions; amending s. 877.02, F.S.; prohibiting certain solicitations by contractors and other persons providing sinkhole remediation services; providing penalties; requiring the Office of Insurance Regulation to calculate a certain presumed factor on residential property insurance rates; providing requirements and procedures for determining such calculation; requiring the office to provide notice of such rate factor to insurers; requiring insurers to include such rate factor in certain rate filings; providing appropriations and authorizing additional positions and salary rates; providing effective dates.

—was taken up, having been read the third time, and amended, on May 2; now pending on motion by Rep. Legg to adopt **Amendment 5** (shown in the *Journal* on page 1036, May 2).

Representatives Legg, Ambler, and Seiler offered the following:

(Amendment Bar Code: 520563)

Amendment 6 (with title amendment)—Remove lines 223-224 and insert:

(4) Neutral evaluation is nonbinding but mandatory if requested by either party. A

===== TITLE AMENDMENT =====

Remove line 21 and insert:
evaluator is not binding on any party but mandatory if requested by either party; providing for

Rep. Legg moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representatives Legg, Ambler, and Seiler offered the following:

(Amendment Bar Code: 816729)

Amendment 7—Remove lines 275-280 and insert:

(13) The recommendation of the neutral evaluator is not binding on any party, and the parties retain access to court. The neutral evaluator's written recommendation is admissible in any subsequent action or proceeding relating to the claim or to the cause of action giving rise to the claim.

Rep. Legg moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representatives Legg, Ambler, and Seiler offered the following:

(Amendment Bar Code: 629277)

Amendment 8—Remove lines 294-300 and insert:

(15) If the insurer timely agrees in writing to comply and timely complies with the recommendation of the neutral evaluator, but the policyholder declines to resolve the matter in accordance with the recommendation of the neutral evaluator pursuant to this section:

(a) The insurer is not liable for extra-contractual damages related to a claim for a sinkhole loss but only as related to the issues determined by the neutral-evaluation process. Nothing in this section shall effect or impair claims for extra-contractual damages unrelated to the issues determined by the neutral-evaluation process contained in this section.

(b) The insurer is not liable for attorney's fees under s. 627.428 or other provisions of the insurance code unless the policyholder obtains a judgment that is more favorable than the recommendation of the neutral evaluator.

Rep. Legg moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative(s) Legg offered the following:

(Amendment Bar Code: 081511)

Amendment 9—Remove lines 318 through 334 and insert:

Section 7. (1) By September 1, 2006, the Office of Insurance Regulation shall calculate a presumed factor to reflect the impact of the changes made in this act and sections 17, 18, 19, 20, and 21 of chapter 2005-111, Laws of Florida, to rates filed by residential property insurers providing sinkhole loss coverage. The office shall issue a notice informing all insurers writing residential property insurance coverage of the presumed factor.

(2) In determining the presumed factor, the office shall use generally accepted actuarial techniques and standards in determining the expected impact on losses, expenses, and investment income of the insurer.

(3) The office may contract with an appropriate vendor to determine the presumed factor.

(4) Each residential property insurer shall, at its next rate filing after October 1, 2006, reflect a rate change that takes into account the presumed factor determined under subsection (1).

Rep. Ambler moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the adoption of **Amendment 5**, which was adopted by the required two-thirds vote.

The question recurred on the passage of HB 217. The vote was:

Session Vote Sequence: 1166

Representative Waters in the Chair.

Yeas—119

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Baxley	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Traviesa
Cannon	Harrell	Patterson	Troutman
Carroll	Hasner	Peterman	Vana
Clarke	Hays	Pickens	Waters
Coley	Henriquez	Planas	Williams
Cretul	Holloway	Poppell	Zapata
Culp	Homan	Porth	

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Remarks

The Chair [Speaker pro tempore Waters] recognized Reps. Brutus and Antone, who each gave brief farewell remarks.

Motion to Adjourn

Rep. Goodlette moved that the House adjourn for the purpose of receiving reports, holding council and committee meetings, and conducting other House business, to reconvene at 10:00 a.m., Thursday, May 4, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments and passed CS for CS for SB 118, as amended.

Faye W. Blanton, Secretary

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments and passed CS for CS for SB 258, as amended.

Faye W. Blanton, Secretary

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in the House amendment and passed SB 1400, as amended.

Faye W. Blanton, Secretary

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in the House amendment and passed CS for SB 1620, as amended.

Faye W. Blanton, Secretary

First Reading by Publication

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 192, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committees on Justice Appropriations, Governmental Oversight and Productivity and Senator Wise—

CS for CS for SB 192—A bill to be entitled An act relating to prison industries; creating the Prison Industries Task Force within the Office of Legislative Services; requiring the task force to determine how well the prison industries program has fulfilled its statutory mission and purpose; providing for the appointment of members to the task force; requiring the task force to hold a minimum number of public meetings; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Legislative Committee on Intergovernmental Relations to provide staff support for the task force; specifying the duties of the task force with respect to taking testimony; requiring the task force to submit a report to the Governor and the Legislature; abolishing the task force on a future date; amending s. 946.505, F.S.; clarifying the state's reversionary interest in the facilities, property, and assets of the corporation operating a correctional work program; amending s. 946.510, F.S.; requiring that an employee of the corporation defined in s. 946.503, F.S., be deemed an employee of the state for purposes of workers' compensation insurance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Criminal Justice Appropriations Committee and Justice Council.

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 278, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committees on General Government Appropriations, Regulated Industries and Senators Wise, Haridopolos and King—

CS for CS for SB 278—A bill to be entitled An act relating to contracting for efficiency or conservation measures by state agencies; amending s. 489.145, F.S.; including water and wastewater efficiency and conservation in the measures encouraged by the Legislature; revising definitions; providing for inclusion of water and wastewater efficiency and conservation measures in guaranteed performance savings contracts entered into by a state agency, municipality, or political subdivision; providing additional requirements for contracts; amending s. 287.064, F.S., relating to consolidated financing of deferred-payment purchases, to conform; amending s. 287.055, F.S.;

redefining the term "continuing contract" for purposes of the Consultants' Competitive Negotiation Act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the State Administration Council.

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 382, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Health Care and Senators Margolis and Bullard—

CS for SB 382—A bill to be entitled An act relating to wellness programs for state employees; amending s. 110.123, F.S.; defining the term "aged-based and gender-based benefits" for purposes of the state group insurance program; creating the Florida State Employees Wellness Council within the Department of Management Services; providing for membership; providing for reimbursement of per diem and travel expenses; providing purpose and duties of the council; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Fiscal Council and State Administration Council.

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 642 and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Judiciary and Senator Miller—

CS for SB 642—A bill to be entitled An act relating to the Lead Poisoning Prevention Screening and Education Act; providing a short title; providing legislative findings; providing definitions; providing for the establishment of a statewide comprehensive educational program on lead poisoning prevention; providing for a public information initiative; providing for distribution of literature about childhood lead poisoning; requiring the establishment of a screening program for early identification of persons at risk of elevated levels of lead in the blood; providing for screening of children; providing for prioritization of screening; providing for the maintenance of records of screenings; providing for reporting of cases of lead poisoning; providing an appropriation; providing contingencies for implementing the educational program under the act; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Governmental Operations Committee and Health & Families Council.

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 2118 and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Banking and Insurance—

CS for SB 2118—A bill to be entitled An act relating to the Florida Workers' Compensation Joint Underwriting Association, Inc.; amending s. 627.311, F.S.; providing requirements for the joint underwriting plan of insurers which operates as the association; revising the membership of the board of governors that oversees operation of the joint underwriting plan; providing for continuous review of the plan; requiring that the market-

assistance plan be periodically reviewed and updated; providing guidelines for procurement of goods and services, including legal services; prohibiting hiring an outside lobbyist; authorizing the use of surplus funds of former plan C; extending the deadline to access contingency reserves; authorizing the board of the association to request a transfer of funds from the Workers' Compensation Administration Trust Fund under certain circumstances; providing that the plan is subject to the same requirements for filing and approval of rating plans as workers' compensation insurers; deleting certain provisions limiting the disapproval of rates by the Office of Insurance Regulation; requiring that excess funds received by the plan be returned to the state; providing applicability of specified statutes regulating ethical standards; requiring annual statements by plan employees that they do not have conflicts of interest; prescribing limits on representing persons or entities before the plan by former senior managers or officers of the plan; prohibiting any part of the plan's income from inuring to the benefit of a private individual; prohibiting employees and board members from accepting expenditures from a person or an entity; providing applicability; requiring periodic comprehensive market examinations; prescribing disposition of assets of the plan upon dissolution; amending s. 2 of ch. 2004-266, Laws of Florida; extending the period for maintaining the contingency reserve and the period for projecting current cash needs; requiring the plan to submit a request for an Internal Revenue Service letter concerning the plan's eligibility as a tax-exempt organization; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the State Administration Council and Fiscal Council.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Anderson:

Yeas—April 28: 994; May 1: 1043

Nays—April 28: 982

Rep. D. Davis:

Yeas—May 2: 1069

Yeas to Nays—May 2: 1069

Rep. M. Davis:

Yeas—May 2: 1072

Rep. Meadows:

Yeas—May 1: 1016

Rep. Poppell:

Nays to Yeas—May 2: 1060

Cosponsors

HB 29—Evers, Hukill

HB 55—Joyner

HB 373—Hukill, Murzin

HB 469—Hukill, Waters

HB 493—Waters

HB 531—Bendross-Mindingall

HB 645—Gottlieb, Hukill

HB 763—Hukill, Waters

HB 817—Bilirakis, Waters

HB 841—Goldstein

HB 1171—Needelman, Roberson

HB 1199—Waters

HB 1373—Traviesa

HB 1473—Brandenburg

HB 1509—Bullard

HB 7039—Goldstein, Waters

HB 7117—Needelman, Waters

HB 7207—Allen

Withdrawals as Cosponsor

HB 1199—Brutus

Introduction and Reference

HR 1637—Read the first time earlier today.

By Representative Baxley—

HR 9135—A resolution honoring the memory of the late Henry J. Prominski.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Glorioso—

HR 9137—A resolution recognizing March 2006 as "Colon Cancer Awareness Month" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Meadows—

HR 9139—A resolution designating October 2006 as "Breast Cancer Awareness Month" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

HR 9141—Read the first time earlier today.

By Representative Robaina—

HR 9143—A resolution recognizing Gulf Stream Chapter 3201 of the Association of the United States Army for supporting activated Army National Guard and United States Army Reserve personnel and assisting their families.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Jennings—

HR 9145—A resolution recognizing the month of September 2006 as "Prostate Cancer Awareness Month" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

House Resolutions Adopted by Publication

At the request of Rep. Flores—

HR 9109—A resolution designating the month of January 2007 as "Cervical Cancer Awareness Month" in Florida.

WHEREAS, cervical cancer is the second most common cancer diagnosed among women throughout the world, and

WHEREAS, Florida ranks fourth in the United States for the total number of new cervical cancer cases each year, and the American Cancer Society estimates that 680 new cases will be diagnosed in the state during 2006, and

WHEREAS, the primary cause of cervical cancer is infection with human papillomavirus (HPV), a virus commonly found in healthy women but that only rarely results in cancer, and

WHEREAS, early detection through annual Pap tests, as recommended by the American Cancer Society, is the key to detecting cervical cancer, and the incidence of and mortality from cervical cancer has been greatly reduced as a result of these tests, which can detect precancerous lesions that may be treated before a cancer develops, and

WHEREAS, regular cervical cancer screening through programs such as the Mary Brogan Breast and Cervical Cancer Early Detection program funded by the Centers for Disease Control and Prevention often results in early cervical cancer detection at precancerous stages, and

WHEREAS, invasive cervical cancers are diagnosed at the localized, most treatable and survivable stage in 56 percent of Caucasian women and 48 percent of African-American women, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives designates the month of January 2007 as "Cervical Cancer Awareness Month" in Florida and urges all women to avail themselves of a better understanding of the risks associated with cervical cancer, to take preventive steps to minimize those risks, and to undergo early detection procedures such as Pap tests and adherence to the American Cancer Society recommended cervical cancer screening guidelines.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Legg—

HR 9127—A resolution honoring the life and death of Sergeant Michael D. Rowe.

WHEREAS, Sergeant Michael D. Rowe, of New Port Richey, Florida, died in Rutbah, Iraq, on March 28, 2006, one day before his 24th birthday, and

WHEREAS, Sgt. Rowe, the only fatality of a roadside explosion near his Humvee as he was leading a convoy during combat operations, was assigned to the 46th Engineer Battalion, Warrior Brigade, out of Fort Polk, Louisiana, and

WHEREAS, after graduating Gulf High School in 2001, Michael enlisted in the National Guard, joined the United States Army after the September 11 terrorist attacks, and only recently reenlisted for another four years with plans to make the Army his career, plans that ended abruptly when the sergeant became the 116th soldier from Florida to give his life in Iraq, and

WHEREAS, it was not until shortly after Sgt. Rowe deployed to Iraq in October 2005 to begin his second tour in support of Operation Iraqi Freedom that his wife, Rebecca, learned she was carrying their first child, news that grew increasingly exciting as time revealed that a little girl, lovingly known to the young couple as Nevaeh Elizabeth Rowe, "Heaven" spelled backward, is expected to arrive on July 12, and

WHEREAS, on April 7, 2006, after his family was presented with a purple heart and bronze star, Sergeant Michael D. Rowe was laid to rest with full military honors in the Florida National Cemetery near Bushnell, his grave

marker bearing the inscription that succinctly sums up the brief life of this fallen hero: "He lived with Honor," NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That, in a spirit of genuine gratitude mixed with sadness, the House of Representatives proudly honors the life and death of Sgt. Michael D. Rowe and extends its heartfelt condolences to his wife, Rebecca, his parents, Dave and Marcy, his sisters, Megan, Kellie Hess, and Danielle Rowe-Sumner, his extended family, and the many, many friends and comrades who mourn his death.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Rebecca, wife of Sergeant Michael D. Rowe, as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Coley—

HR 9133—A resolution honoring Chipola College student Kimberly Garske, Florida's 2006 New Century Scholar.

WHEREAS, International Honor Society Phi Theta Kappa is recognized as the primary community college organization for honoring academic achievement, leadership, and service, and

WHEREAS, Chipola College student Kimberly Garske, as the top-scoring student in Florida on the 2006 All-Florida Academic Team, a team of highly successful community and junior college students assembled by the Florida Community College System, clearly merits her designation as Florida's 2006 New Century Scholar and, as such, has brought honor to the state by her recognition in USA Today as one of the top 50 community college students in America, and

WHEREAS, since 1998, Chipola College has had five New Century Scholars, eight Guistwhite Scholars, and nine All USA Today Academic Team members, with each of these numbers including Kimberly Garske for the year 2006, and

WHEREAS, since 2002, Chipola College students, including Kimberly Garske in 2006, have won five of the six Leaders of Promise awards given in Florida since the award was established, and

WHEREAS, Chipola College's Kimberly Garske won four of the five major Phi Theta Kappa awards: New Century Scholar, Guistwhite Scholar, Leaders of Promise, and All USA Today Academic Team, and

WHEREAS, the praiseworthy accomplishments of Kimberly Garske, outstanding member of Chipola's international award-winning Phi Theta Kappa chapter, command the respect and admiration of the House of Representatives and the citizenry of this state, both for herself and her academic institution, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That Kimberly Garske is congratulated for the attainment of a truly remarkable academic record and is extended sincere wishes for equally successful endeavors in the future.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Kimberly Garske and to Dr. Gene Prough, President of Chipola College, as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

Enrolling Reports

HB 599 has been enrolled, signed by the required constitutional officers, and presented to the Governor on May 3, 2006.

John B. Phelps, Clerk

Excused

The following Conference Committee Managers were excused from time to time:

HB 5001 and related legislation: (HB 5003, HB 5005, HB 5007, HB 5009, HB 5011, HB 5013, HB 5017, HB 5019, HB 5021, HB 5023, CS for SB 390, CS for SB 394, CS for SB 398, CS for SB 818, CS for SB 840, CS for SB 844, CS for SB 846, CS for SB 848): At Large—Rep. Negron (Chair), Rep. Mahon (Vice Chair), and Reps. Gardiner, Waters, Goodlette, Rubio, Bowen, Brummer, Simmons, Greenstein, Jennings, Seiler, Ryan, Sansom, and Zapata; Agriculture & Environment—Rep. Mayfield (Chair), and Reps. Brown, Littlefield, Hays, Poppell, Macheek, Stansel, Kendrick (Alternate), Williams, Evers, and Allen; Education—Rep. Pickens (Chair), and Reps. Rivera, Attkisson, Baxley, Flores, Altman, Arza, Stargel, Vana, Bendross-Mindingall, Richardson, Justice (Alternate), Patterson, Coley, and Mealor; Health Care—Rep. Bean (Chair), and Reps. Benson, Cannon, Farkas, Galvano, Garcia, Murzin, Gannon, Sobel, Grimsley (Alternate), Roberson (Alternate), Grant, and Hukill; Criminal Justice—Rep. Barreiro (Chair), and Reps. Adams, Ambler, Needelman, Joyner, and Porth; Judiciary—Rep. Kottkamp (Chair), and Reps. Ross (Alternate), Planas, Gelber, and Quinones; State Administration—Rep. Berfield (Chair), and Reps. Carroll, Kreegel, Reagan, Lopez-Cantera (Alternate), A. Gibson (Alternate), Taylor, and Holloway; Transportation & Economic Development—Rep. D. Davis (Chair), and Reps. M. Davis, Kravitz, Llorente, Traviesa, Ausley, Cusack, McInvale (Alternate), and Bogdanoff.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 4:32 p.m., to reconvene at 10:00 a.m., Thursday, May 4, or upon call of the Chair.

**Pages and Messengers
for the week of
May 1-5**

Pages—Graydon W. Ball, Tallahassee; Hilty Bowen, Winter Park; Haley Bowen, Winter Park; William Bridges, Orlando; Luke Brigham, Orlando; Carson Brock, Dade City; Daniel R. Cepero, Miami; Mark Cleaver, Grand Island; Brandon Combs, Ocoee; Julian Havlicak, Tallahassee; Josh Kaplan, Tallahassee; Kaitlyn Lauren McCoy, Winter Park; Brandon S. Murphy, Palm Harbor; Becca Negron, Stuart; Emily Schweitzer, Boynton Beach; Spencer Shweky, Cooper City; Ben Silbernagel, Ocoee; Meritt Simmons, Maitland; Christopher Stonecipher, Tallahassee; Calli Syfrett, Tallahassee; Julia Paige Warren, Orlando; Callie Webster, Panama City.

Messengers—Brian Jude Baham, Jacksonville; Evan Bellamy, Miami; Jordana Bilardello, Hollywood; Benjamin Fields, Miami Beach; Michael Gershani, Weston; Alex Goldstein, Weston; Tiffany Maddox, Bushnell; Tricia Paige Rousseau, Crestview; Seth Salver, Bay Harbor; Katie Scott, Panama City; Paul Sellers, Tallahassee; Jennifer Shaffer, Crestview; Matthew Silbernagel, Ocoee; Victoria Summerlin, Webster; Chelsea Williams, Live Oak; Adrian Young, Tallahassee; Herbert Zischkau IV, Deltona.